

A NEW
HISTORY
OF
ENGLAND,
FROM THE
DESCENT of the ROMANS,
TO THE
DEMISE of his late Majesty, GEORGE II.
INSCRIBED TO
His present Majesty, GEORGE III.

By WILLIAM RIDER, A. B.
Late of Jesus College, Oxford.

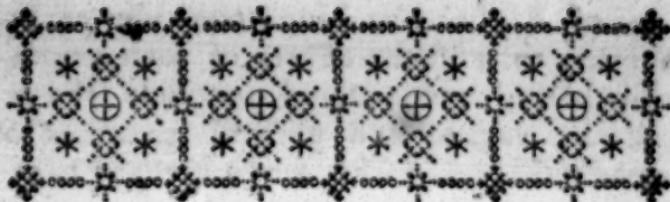
HISTORY is philosophy teaching by examples.
Bolingbroke from Dion. Hal.

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THE
History of ENGLAND.



The HISTORY of CHARLES I.
continued. A. D. 1628.

T HE contests between the king and parliament ran, at this time, extremely high. The commons, as we have remarked, in the close of the preceding volume, were determined to circumscribe the royal prerogative by a formal and express statute,

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tute, which they intended to call the Petition of Right : the king, conscious of his inability to resist the efforts of such a powerful body, endeavoured to elude the attack by vague and general promises of amendment. He had sent a message to the house, importing, that, for the future, he would not presume to exercise any branch of prerogative, but what was warranted by the strict letter of the law ; and expressing his hopes, that the commons would rest satisfied with this solemn assurance.

But the absurdity of this proposal, was too apparent to escape observation. " Was it ever known," said Sir Edward Coke, " that general words were a sufficient satisfaction for particular grievances ? " was ever a verbal declaration of the king, " the word of the sovereign ? when grievances are complained of, the parliament is to redress them. Did ever the parliament rely on messages ? They have ever put up petitions of their grievances, and the king has ever answered them.

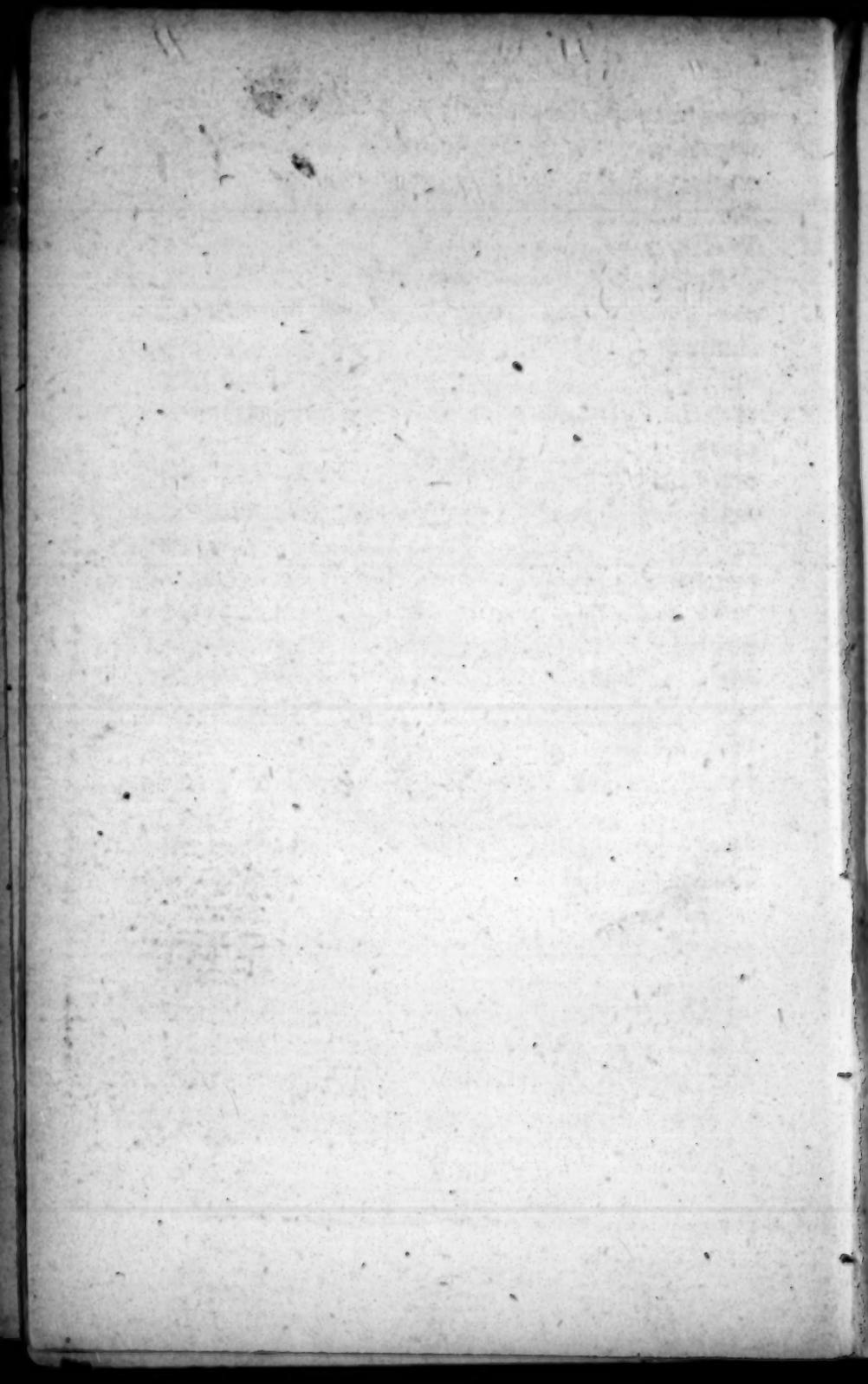
" The king's message is very gracious ; but what is the law of the realm, that is the question. I have no diffidence of his majesty ; but the king must speak by record, and in particulars. Did you ever know

SEDW·COKE Lord Chief Justice



J. Hollar sculpsit

Engrav'd for Rider's History of England



" know the king's message come into a bill
" of subsidies? All future kings will say,
" Ye must trust me, as you did my prede-
" cessors; and ye must have the same con-
" fidence in my messages. But messages
" of love, are of no weight in parliament.
" Let us put up a petition of right: not
" that I distrust the king; but that I can-
" not give trust, except in a parliamentary
" way."

Notwithstanding this repulse, the king still continued his endeavours. He sent a letter to the house of lords, importing, " that neither he, nor his privy-council, should or would, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause, which, in his conscience, he should think not to concern the public good, and the safety of king and people."

And he farther declared, " that he never would be guilty of so base an action, as to pretend any cause, of the truth of which he was not fully satisfied." This promise was enforced to the commons by the recommendation of the upper house; but as it was of the same purport with all the former, it met with the same reception.

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These obstacles being finally removed,
the Petition* of Right passed the commons;
and

* This petition is of so great importance, and forms so essential a part of the English constitution, that we imagine the curious reader will not be displeased to see it at full length.

" I. Humbly shew unto our sovereign lord the king, the lords spiritual and temporal, and commons in parliament assembled, that, whereas it is declared and enacted, by a statute made in the reign of king Edward I. commonly called *Statutum de Tallagio non concedendo*, that no tallage or aid shall be laid or levied by the king or his heirs in this realm, without the good-will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm: and, by authority of parliament held in the twenty-fifth year of King Edward III. it is declared and enacted, that, from thenceforth, no person should be compelled to make any loans to the king against his will, because such loans were against reason, and the franchise of the land: and, by other laws of this realm, it is provided, that none shall be charged with any charge or imposition called a benevolence, or by such like charge: by which the statutes beforementioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

II. Yet, nevertheless, of late, divers commissions directed to sundry commissioners in several counties, with instructions, have issued; by means whereof your people have been in divers places assembled,

and

and was sent up to the lords, for their approbation. The lords, who were fully convinced

and required to lend certain sums of money unto your majesty, and many of them, upon their refusal so to do, have had an oath administered unto them, not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy-council, and in other places, and others of them have been, therefore, imprisoned, confined, and sundry other ways molested and disquieted: and divers other charges have been laid and levied upon your people, in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty or your privy-council, against the laws and free customs of this realm.

III. And whereas also, by the statute called *The Great Charter of the Liberties of England*, it is declared and enacted, that no freeman may be taken or imprisoned, or be disseized of his freehold or liberties, or his free customs, or be out-lawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

IV. And in the eight and twentieth year of the reign of king Edward III. it was declared and enacted, by authority of parliament, that no man, of what estate or condition soever, that he be, should be put out of his land or tenement, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought to answer by due process of law.

V. Nevertheless, against the tenour of the said statutes, and others the good laws and statutes of your realm, to that end provided, divers of your subjects have

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ed of the absolute necessity of retrenching the prerogative, immediately passed the petition,

have of late been imprisoned without any cause shewed, and when, for their deliverance, they were brought before a justice, by your majesty's writs of *Habeas Corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but, that they were detained by your majesty's special command, signified by the lords of your privy-council, and yet, were returned back to their several prisons, without being charged with any thing to which they might make answer according to law,

VI. And whereas of late, great companies of soldiers and mariners, have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

VII. And whereas also, by authority of parliament, in the five and twentieth year of the reign of king Edward III. it is declared and enacted, that no man should be fore-judged of life or limb, against the form of the Great Charter and the law of the land: and by the said Great Charter, and other the laws and statutes of this your realm, no man ought to be judged to death, but by the laws established in this your realm, either by the customs of this realm or by acts of parliament: and whereas no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm: nevertheless, of late, divers commissions, under your majesty's great seal, have issued forth,

CHARLES I.

petition, without any material alteration; and nothing now was wanting but the royal

forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or outrage or misdemeanour whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in the time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to law martial.

VII. By pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death; when and where, if, by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

IX. And also sundry grievous offenders, by colour thereof claiming exemption, have escaped the punishment due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborn to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid: which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

X. They, therefore, humbly pray your most excellent majesty, that no man hereafter be compelled to make

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royal assent to give it the force of a law.

The

make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament: and that none be called to make an answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof: and that no freeman, in any such manner as is before mentioned, be imprisoned or detained: and that your majesty would be pleased to remove the said soldiers and mariners, and that your people may not be so burthened in time to come: and that the aforesaid commissions, for proceeding by martial law, be revoked and annulled: and that, hereafter, no commissions, of like nature, may issue forth to any person or persons whatsoever, to be executed as aforesaid; lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

XI. All which they must humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm: and that your majesty would also vouchsafe to declare, that the awards, doings, and proceedings, to the prejudice of your people in any of the premises, shall not be drawn hereafter into consequence or example: and that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that, in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom. *Stat. IV. Car. Cap. xiv.*

The king, accordingly, repaired to the house of peers ; sent for the commons ; and, being seated in his chair of state, the petition was read before him. But as he was still desirous of eluding the spirit of the petition, instead of the usual concise form, by which a bill is either confirmed or rejected, he expressed himself in the following terms :
“ The king willeth, that right be done according to the laws and customs of the realm, and that the statutes be put in due execution ; that his subjects may have no cause to complain of any wrong or oppression, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative.”

If Charles imagined that the commons would be satisfied with this vague and evasive answer, he was greatly disappointed : they returned to the house in the highest indignation ; and they instantly began to wreak their vengeance on Dr. Manwaring, a particular favourite of the king.

There is nothing which serves more to justify the conduct of the commons towards Charles, than his open encouragement and avowal of such general principles, as were altogether inconsistent with the nature of a free government.

Man-

Manwaring had preached a sermon, which appeared, upon enquiry, to have been printed by the special command of his majesty; and, when examined, it was found to contain doctrines destructive of all civil liberty.

It was there affirmed, that though property was commonly lodged in the hands of the subject; yet, upon any urgent necessity, all property was transferred to the king; that the sovereign might impose taxes without consent of parliament; and that the divine law enjoined compliance with every demand, however unjust, which the prince should think proper to make upon the people.

For these doctrines, the commons accused Manwaring before the peers. His sentence was, that he should be imprisoned during the pleasure of the house, be fined a thousand pounds to his majesty, make recantation of his errors at the bar of both houses, be suspended for three years, be rendered incapable of any office, civil or ecclesiastical, and that his books should be called in and burnt.

Notwithstanding this punishment, which he so well merited, the king was so imprudent as to grant him a pardon, and even some time after, to promote him to the see of

St.

St. Asaph; a strong proof of his attachment to arbitrary principles.

The next measure of the commons, was still more disagreeable to his majesty. They proceeded to attack the conduct of the duke of Buckingham, whom they justly considered as the author of many of those grievances under which the nation laboured. In vain did the king send them a message, in which he reminded them that the session was drawing towards a close; and desired, that they would not enter upon any new business, nor endeavour to asperse his government and ministry.

The commons were incensed at this message, as if the king had prescribed to them their method of proceeding; and they were preparing to draw up a remonstrance against the duke, when Charles, apprized of the impending danger, resolved, if possible, to divert the storm, by gratifying their wishes with regard to the Petition of Right. Accordingly, upon a joint application from the lords and commons, he came to the house of peers, and pronouncing the usual form of words, "Let it be law as desired," gave full sanction and authority to the petition.

The commons were so well satisfied with this concession, that they immediately passed

the bill for five subsidies, which they had formerly voted ; because, indeed, the granting that supply was, in some measure, contracted for upon the royal assent to the petition : and had faith been here violated, all farther trust and confidence would have been destroyed between the king and parliament. Having thus ballanced accounts with his majesty, they contiuued to carry their researches into every abuse of government.

A little before the meeting of this parliament, a commission had been granted to Sir Thomas Coventry, lord-keeper, the earl of Marlborough, high-treasurer, the earl of Manchester, lord-president of the council, the earl of Worcester, privy-seal, the duke of Buckingham, high-admiral, and all the considerable officers of the crown, amounting, in the whole, to thirty-three.

By this commission, which, from the number of persons of which it consisted, could be no secret, the commissioners were empowered to meet, and devise methods of raising money by impositions, or otherwise ; " where form and circumstance," as expressed in the commission, " must be dispensed with, rather than the substance be lost or hazarded." The commons now applied for abolishing this commission, which,

which, had it been suffered to be put in practice, would have rendered parliaments entirely useless.

Another commission had likewise been granted, and some money remitted into Germany for raising a thousand horse in that country, and transporting them into England. These were supposed to be levied with a view of supporting the intended impositions or exactions; though the number seemed very insufficient to answer such a purpose. The commons, however, took notice of the design, and inveighed against it with the utmost acrimony and vehemence.

They next resumed their censure of Buckingham's behaviour, against whom they had conceived the most implacable hatred. They resolved to present a remonstrance to his majesty, in which they re-capitulated all the national grievances and calamities; the composition with Catholics, the frequent violations of public liberty, the decay of trade and commerce, the unsuccessful expeditions to Cadiz and the Isle of Rhé, the commission for transporting German horse, and that for raising new impositions: these, and every other grievances they chiefly ascribed to the pernicious advice or imprudent conduct

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duct of the duke of Buckingham. This remonstrance, perhaps, gave the greatest uneasiness to Charles, that he was convinced of the truth of most of the allegations which it contained.

Though the commons had already granted the king five subsidies, they still retained a pledge in their hands, which, they imagined, would ensure the success of all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully concealed their intention of attacking that branch of revenue, till the royal assent had been given to the Petition of Right, which they justly considered as of the utmost importance. They then boldly affirmed, that the levying tonnage and poundage without consent of parliament, was an evident violation of all the ancient privileges of the people; and they proposed to present a remonstrance to that purpose. The king, in order to prevent so disagreeable an address, came suddenly to the house, and finished the session by a prorogation.

Being now freed, at least for some time, from the restraint of this assembly, Charles began to turn his attention towards foreign

reign wars, where all his endeavours were as unsuccessful, as in his domestic government.

The earl of Denbigh, brother-in-law to Buckingham, had been sent to the relief of Rochelle, now closely invested by land, and threatened with a blockade by sea : but he returned without being able to succour the place ; and having declined to engage the enemy's fleet, he exposed the English arms to the imputation, either of cowardice or ill conduct.

In order to wipe out this stain, the duke repaired to Portsmouth, where he had equipped a considerable army ; but before he could set out on his expedition, he met with that fate from the hands of a desperate assassin, which, had he survived much longer, he would probably have suffered from the laws of his country.

There was one Felton, of a good family, but of a vehement, fiery, and melancholic temper, who had served under the duke in the quality of lieutenant. His captain being killed in the expedition to the Isle of Rhé, Felton had applied for the company ; and when disappointed, he resigned his commission, and retired in disgust from the army.

While private resentment was working in his sullen, unsociable mind, he heard the nation resound with complaints against the duke; and he met with the remonstrance of the commons, in which that nobleman was represented as the author of every public grievance, and the great enemy of civil and religious liberty. These vindictive sentiments were still farther inflamed by the spirit of enthusiasm; and he imagined, that he should perform an acceptable service to heaven, if, at one blow, he could deliver his country from this determined foe to all piety and virtue. Full of these dark designs, he repaired to Portsmouth, at the same time with the duke, and watched for an opportunity of accomplishing his bloody purpose.

Buckingham had been talking about their military operations with Soubise and other French gentlemen; and a difference of opinion having arisen, the dispute, though managed with temper and decency, had occasioned some of those vehement gestures of body and lively exertions of voice, for which that nation are so remarkable.

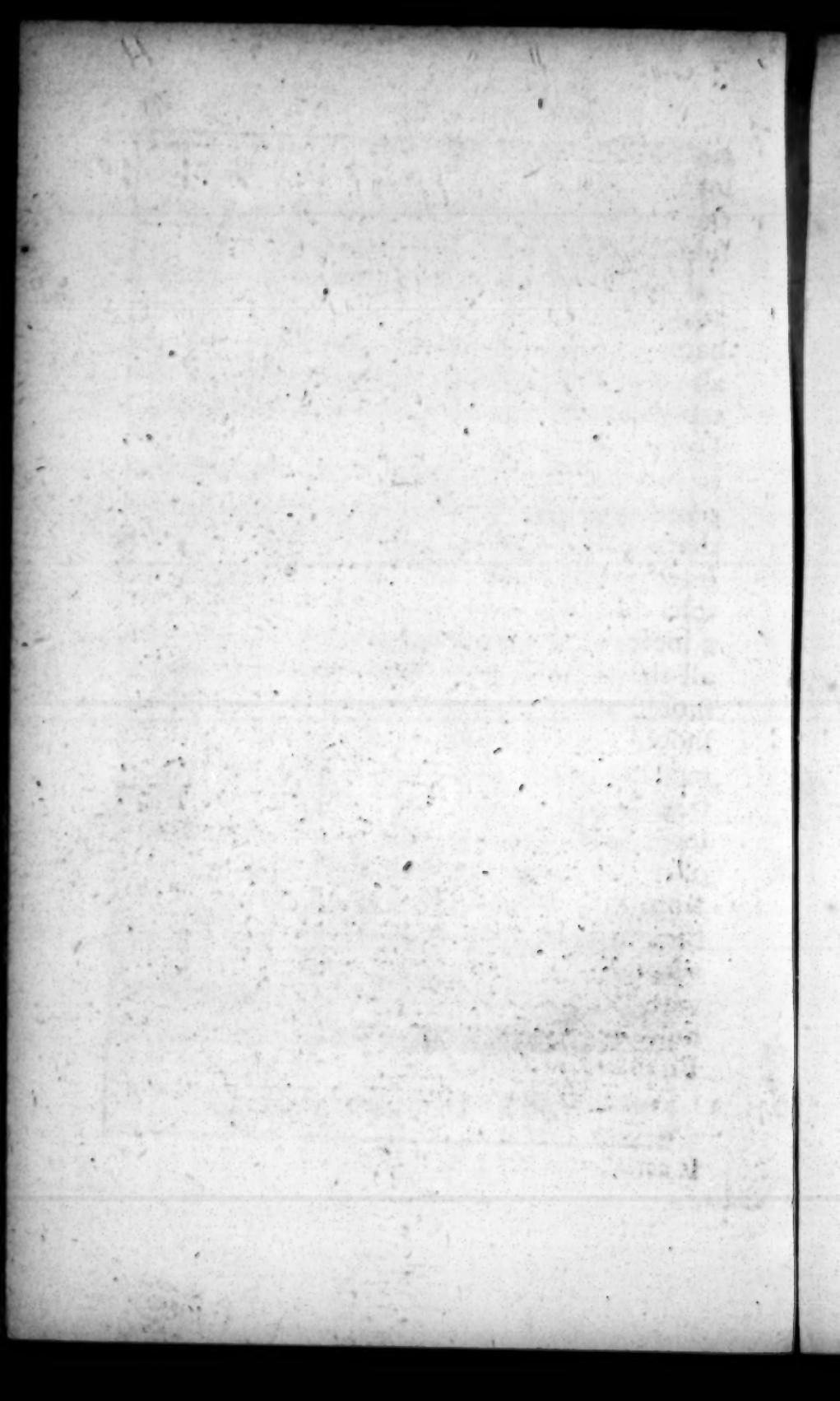
The conversation being ended, the duke drew towards the door; and in the passage, turning about to speak to Sir Thomas Fryar, a colonel in the army, he was,
on

*The Assassination of i^f. D. of Buckingham
by Felton.*



J. Malott Sc.

Engiav'd for Rider's History of England.



on the sudden, over Sir Thomas's shoulder, stabbed to the heart with a knife. Without other words than "the villain has killed me ;" he drew out the knife, and instantly expired.

No body had perceived the blow, nor observed the person who gave it ; but in the general tumult, every one made his own conjecture ; and all were of opinion, that the assassination must have been perpetrated by the French gentlemen, whose angry tone of voice had been heard, while their words were not understood, by the bystanders.

In the fury of revenge, they had instantly been massacred, had they not been saved by some of more temper and moderation ; who, though they had no doubt of their guilt, judged it more proper to reserve them for a legal trial and condemnation. Near the door there was found a hat, in the inside of which was sewed a paper, inscribed with a few lines of that remonstrance of the commons, which declared Buckingham an enemy to the kingdom ; and under these lines were some short ejaculations.

It was presently concluded, that this hat belonged to the assassin ; but, " who that person should be ?" was still the question :

ion : for the writing discovered not the name ; and whoever he was, it was natural to think, that he had already escaped far enough to have provided himself with another hat.

Meanwhile, a man without a hat was seen walking very composedly before the door. One crying out, " here is the villain who killed the duke ; " every body ran exclaiming, " which is he ? "

The man replied with great intrepidity, " I am he." The more furious immediately attacked him with drawn swords ; others, more deliberate, defended and protected him : he himself very cheerfully bared his breast and exposed it naked to the swords of the enraged assailants ; being desirous to save himself, by an instant death, from the disgrace of a public execution.

He was soon known to be that Felton, who had served in the army. Being carried into a private room, it was judged proper so far to dissemble as to assure him that the duke was only dangerously wounded ; but there were still some hopes of his recovery. Felton smiled at this intimation ; and replied in the following terms, which are strongly expressive of his enthusiasm : " I know full well," said he, " that

" that the duke is dead; for I had the
" strength of forty men when I struck the
" blow."

When asked, at whose instigation he had committed that atrocious crime? he answered, that they need give themselves no concern about that matter; that no man living had sufficient influence with him to have persuaded him to such an action; that he had not even communicated his design to any one; that the resolution was entirely owing to the suggestions of his own conscience; and that his motives would appear, if his hat was found; for that apprehending he should perish in the attempt, he had there taken care to explain them.

When Charles was acquainted with this assassination, he received the news with a steady and composed countenance; and the courtiers, who narrowly watched his looks, imagined, that secretly he was not sorry to be rid of a man, who had hitherto ruled him with the most unlimited sway, and had excited such a spirit of discontent in the nation.

But Charles's command of himself was entirely owing to the natural gravity of his temper. He was still as fond of his favourite as ever; and during his whole life, he entertained an affection for Buckingham's

ingham's friends, and a mortal hatred against his enemies. He insisted too, that Felton should be put to the rack, in order to compel him to discover his accomplices : but the judges declared, that, tho' that practice had been formerly permitted, it was totally inconsistent with the laws of the land.

Mean while, the inhabitants of Rochelle were reduced to the last extremity. In order to deprive them of all hopes of succour, a mole of no less than a mile's extent had been thrown across the harbour ; and by that means the town was held closely blockaded on all sides. The citizens, tho' pressed with the greatest rigours of famine, still refused to submit ; being encouraged, partly by the exhortations of their more zealous leaders, partly by the daily prospect of assistance from England.

After Buckingham's death, the command of the fleet and army was bestowed upon the earl of Lindsey ; who, arriving before Rochelle, endeavoured to break through the mole, and force his way into the town ; but, by the delays of the English that work was now fully completed and fortified ; and the Rochellers, despairing of all relief, were obliged to surrender at discretion, even in sight of the English navy.

navy. Of fifteen thousand persons, who had been shut up in the town, no more than four thousand survived the multiplied hardships and fatigues, which they had suffered.

The miscarriage of this enterprize could not fail to weaken the king's authority in the ensuing session of parliament: but the commons, when assembled, found many other causes of complaint.*

Manwaring's pardon and promotion were mentioned: Sibthorpe and Cosins, two clergymen, who, for like reasons, were equally obnoxious to the nation, had met with equal favour from the king: and Montague, who was strongly suspected of an attachment to Popery, had been advanced to the see of Chichester.

It likewise appeared, that all the copies of the Petition of Right, which were dispersed, had, by the king's orders, affixed to them the first answer, which had justly been considered as so evasive and unsatisfactory: and Selden complained that, in direct violation of that petition, one Savage had been punished with the loss of his ears, by an arbitrary sentence of the star-chamber.

But

* A. D. 1629.

But the article, which occasioned a final rupture between the king and the commons, and inspired Charles with a mortal hatred to all parliaments, was their conduct with regard to tonnage and poundage.

The duty of tonnage and poundage, in more ancient times, had been commonly granted by parliament for a limited time; but it had been bestowed on Henry the fifth and all the succeeding princes, during life, in order to enable them to support a naval force for protecting the trade and commerce of the kingdom.

The necessity of levying this duty had been so evident, that each king, immediately upon his accession, had ever laid claim to it; and the first parliament of each reign had ever, by vote, bestowed on the prince a revenue of which they found him already possessed.

In consequence of this abuse, which, however considerable, had never been perceived or remedied, the consent of parliament came to be regarded merely as a matter of formality: and the sovereigns, deeming their title to this duty to be altogether certain and indisputable, had taken the liberty to alter, at pleasure, the rates of the customs and impositions, to the great injury and detriment of the subject.

In order to redress this grievance, the commons resolved to assert their right, either of granting or refusing this duty, as they should find it most expedient. Accordingly, in the first parliament of the present reign, instead of granting this supply, during the king's life, as it had been enjoyed by his immediate predecessors, they voted it only for a year; but the sudden dissolution of that parliament prevented the vote from being passed into a law.

Not discouraged by this disappointment, they renewed their attempts in the succeeding parliament; but all their endeavours were again defeated by the like violent measure.

The following interval, between the second and third parliament, was distinguished by so many acts of arbitrary power, that men had little leisure to attend to the affair of tonnage and poundage: but, after the commons, during the former session, had rectified all these abuses and grievances by means of their petition of right, they afterwards proceeded to resume the consideration of this matter, and they showed their resolution, not to grant it to his majesty, but under certain limitations and restrictions. Their sudden prorogation, however, hindred them

from bringing the matter to a final conclusion.

At the opening of this session, Charles seems to have been sensible, that some controversy was likely to arise ; and he, therefore, took care, among many gentle and soothing expressions, to acquaint the commons, “ that he had not taken these duties “ as belonging to him by hereditary right ; “ but that it ever was, and still is, his mean-“ ing to enjoy them solely as the gift of his “ people ; and that, if he had hitherto le-“ vied tonnage and poundage, he pretend-“ ed to justify himself only by the necessity “ of the measure, not by any right which “ he claimed.”

The commons, however, were far from being satisfied with this acknowledgment : they still insisted, as an indispensable condition, that the king should entirely desist from levying these duties ; after which they would take into consideration, upon what terms they would restore to him a revenue which he had once fairly resigned.

But though Charles was afraid to exasperate the commons, by a flat refusal, he yet declined complying with so harsh a demand ; and he continued to press them, with repeated messages and speeches, to pass the

the vote for investing him with this revenue.

The commons finding that all their applications were industriously eluded by his majesty, resolved to procure for themselves that redress which they could not extort from the crown. They summoned before them the officers of the custom-house, and demanded by what authority they had seized the goods of those merchants who had refused to pay these duties: they examined the barons of the Exchequer concerning their decrees on that subject: they imprisoned in the Tower the sheriff of London, for having assisted the officers of the custom-house: and they strongly remonstrated against the violence offered to Rolles, a merchant, and member of the house, whose goods had been seized for his refusal to pay the duties.

The king supported his officers in all these measures: the commons attacked them with the utmost fury; and thus the breach became, every day, wider between the opposite parties. A motion was made in the house for impeaching Sir Richard Weston, lord treasurer; and the king, informed of these violent proceedings, resolved to finish the session by a dissolution.

Sir John Elliot drew up a remonstrance against levying tonnage and poundage, without consent of parliament; and gave it

to the clerk to read. The clerk refused; Elliot read it himself. The question being called for, the speaker, Sir John Finch, said, that he had received an order from his majesty to adjourn, and to put no question: upon which he rose and left the chair.

The whole house was in an uproar. The speaker was forced back into the chair, and held in it, by Hollis and Valentine, till a short remonstrance was formed, and passed in a tumultuous manner. All those who levied tonnage and poundage, were declared capital enemies to the public: and even the merchants, who should voluntarily pay these duties, were denominated betrayers of English liberty, and of the privileges of the people.

The doors being locked, the gentleman-usher of the upper house, who had been sent by the king, could get no access till this remonstrance was finished. By the king's order he took the mace from the table, which put an end to their proceedings: and, a few days after, the parliament was dissolved.

The discontents, occasioned by this rupture between the king and parliament, were still farther increased by the rigorous measures which Charles endeavoured to pursue; but

but which he happily had not power to carry to extremity.

Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, and Strode, were thrown into prison, on account of the late tumult in the house, which the court affected to call sedition. With much difficulty, and after many delays, they were dismissed, and the law was generally supposed to be wrested, in order to lengthen their confinement.

Sir John Elliot, Hollis, and Valentine, were summoned to answer, in the King's Bench, for the spirited harangues which they had made in the house, which the ministers were pleased to term seditious and disloyal; but refusing to account, in an inferior court, for their conduct, as members of a superior, they were condemned to be imprisoned during the king's pleasure, to give security for their good behaviour, and to pay a fine; the two former, two of a thousand pounds a-piece; the latter, of five hundred.

Thus the king, while he gratified his resentment, at once discovered his arbitrary principles, and forfeited the affections of his subjects, by inflicting such severe and unjust punishments upon men who had been guilty of no other crime than that of defending the liberties of their country.

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Charles, deprived of all hopes of supply, was obliged to conclude a peace with the two crowns, against which he had hitherto carried on a war, which was begun without necessity, and conducted without glory.

Notwithstanding the present distressed and defenceless condition of England, no attempt had been made, either by France or Spain, to attack that country: nor did they carry their hostile views farther, than to secure themselves against the feeble and ill-concerted expeditions of Charles.

Glad to hear that the rupture between the king and parliament had embroiled the kingdom, they prudently refrained from any enterprize which might excite either the terror or anger of the English, and, a sense of common danger, induce them to forget their domestic quarrels.

So desirous was the king of Spain to regain the good will of the nation, that he released, without ransom, and sent home to their own country, all the English prisoners taken in the expedition against Cadiz. The same generosity was shown by France, after the retreat of the English from the Isle of Rhé.

When princes were so favourably disposed, and had so few claims on each other,
the

the conclusion of a peace could not be a matter of great difficulty. The treaty was first signed with France. In his present circumstances, the king could not pretend to insist on any terms for the Hugonots ; and they were accordingly left to the mercy of their sovereign. Peace was soon after made with Spain ; where nothing was stipulated in favour of the Palatine, except that Philip promised, in general, to employ his good offices for the restoration of the elector.*

Charles, however, did not desist from his endeavours to procure some relief to that unhappy family. In conjunction with France, he effected a peace between the kings of Sweden and Poland, in hopes of inducing the former to undertake the cause of the Protestants in Germany.

This was the famous Gustavus Adolphus, whose heroic genius, assisted by the wisest policy, rendered him, in a little time, the most celebrated monarch of the age. To encourage and support him in his intended invasion of Germany, Charles engaged to supply him with six thousand men ; but, that he might save appearances with the house of Austria, he employed the name of the marquis of Hamilton, a nobleman allied

to

to the crown. Hamilton entered into an agreement with Gustavus ; and, having levied these troops in England and Scotland, at Charles's expence, he landed them in the Elbe.

Soon after was fought the important battle of Leipsic ; where the Imperial army, under count Tilly, was totally defeated by the victorious Swede. Gustavus proceeded in his conquests with such an amazing and rapid progress, as is scarce to be paralleled either in ancient or modern history ; and, in a short time, made himself master of the greatest part of Germany.

But this extraordinary success of Gustavus, at the same time that it enabled him with greater ease, rendered him more averse, to perform his engagements with Charles. The Swede, elated by prosperity, began to entertain more ambitious views ; and, in freeing Germany from the yoke of Ferdinand, he intended to reduce it to subjection under his own. He refused to restore the Palatine to his dominions, except upon such hard terms as were totally inconsistent with his honour. And thus the negociation was protracted till the famous battle of Lutzen ; where the Swedish monarch perished in the midst of a glorious and complete victory, which he gained over his enemies.

After

After the death of Buckingham, the person who had greatest influence with Charles was Laud, bishop of London, afterwards promoted to the archbishopric of Canterbury; a prelate of some parts and learning, but strongly suspected of a propension towards Popery, at least attached to certain ridiculous rites and ceremonies which were but too much akin to that superstition, and the observance of which gave great and general offence to the nation.

Nor was it only in England that these suspicions were entertained of Laud: even the court of Rome itself had conceived hopes of recovering its authority in this island, by means of that prelate; and, in order to animate his zeal, an offer was twice made him, in private, of a cardinal's hat, which, however, he did not think it safe to accept.

A court-lady, daughter of the earl of Devonshire, having turned Catholic, was asked, by Laud, the reason of her conversion.
“ ‘Tis chiefly,” said she, “ because I hate to travel in a crowd.” Being desired to explain her meaning, she replied, “ I perceive your grace, and many others, are making haste to Rome; and therefore, in order to prevent my being crowded, I have gone before you.”

As

As a specimen of the ceremonies which Laud intended to introduce, it may not be improper to mention those he employed in consecrating St. Catherine's church, and which it will be impossible for the reader to peruse, without laughing at the bishop's weakness, if he really thought them essential to religion, or without feeling the highest indignation, if, conscious of their insignificance, he meant to impose them as such on the people.

On the bishop's approach to the west door of the church, a loud voice was heard to cry, "Open, open, ye everlasting doors, " that the king of glory may enter in!" The doors of the church immediately flew open: then the bishop, entering, fell on his knees; and, with eyes and hands uplifted to heaven, exclaimed, "this place is " holy, the ground is holy: in the name of " the Father, Son, and Holy Ghost, I pro- " nounce it holy."

In his way to the chancel, he several times took up an handful of dust, and threw it in the air. When he approached, with his attendants, near the communion-table, he bowed frequently towards it: they walked, in procession, round the church, singing some psalms: and then said a form of prayer, which concluded with

with these words ; “ we consecrate this “ church, and separate it unto thee, as “ holy; not to be profaned any more to “ common uses.” Standing near the communion-table, he solemnly anathematized all who should dare to pollute that sacred place; and poured out a number of benedictions on such as had contributed to build and adorn the edifice. On the conclusion of every curse and blessing, he bowed towards the east, and cried, “ let all the people say “ Amen.”

The sermon next succeeded; after which he consecrated and administered the sacrament in the following manner: As he advanced to the communion-table, he made many profound reverences: and, coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin, in which the bread was laid. When he beheld the bread he suddenly let fall the napkin, flew back a step or two, and bowed three several times towards the bread: then he drew near again, and opened the napkin; and bowed as before. The same ceremonies he observed in uncovering, and taking up the cup that held the wine; then he received the sacra-

sacrament himself, and gave it to others; and, after the reading of many prayers, the solemnity of the consecration ended.

Nor was Laud only determined to observe these ceremonies himself; he was also resolved that they should be as strictly observed by others; all clergymen who refused or neglected to comply with every ceremony, were suspended, and deprived, by the high commission-court: oaths were, by many of the bishops, imposed on the church-warden; and they were sworn to inform against any one who acted contrary to the ecclesiastical canons.

The following affair was, at that time, the subject of much conversation. There was, it seems, in St. Edmond's church in Salisbury, a painted window, containing, among other things, the history of the creation, where the painter had represented God in the form of an old man, creating the world during the first six days; but, on the seventh, he had painted him sitting, to denote the day of rest. The ignorant painter had committed several blunders, having assigned to one day what belonged to another; and, in expressing the creation of the sun and moon, had put into God's hands a pair of compasses, as if he was going to measure them.

Henry

Henry Sherfield, recorder of Salisbury, and parishioner of St. Edmond's, having called a vestry, represented to the parishioners, that these pictures gave great offence, and were apt to lead the people to superstition. The parishioners were convinced of the justness of this observation ; and, accordingly, impowered him to take down the painted glass, and put up a plain one in its place. Armed with this authority, the recorder sent for a glazier ; and showing him, with his stick, the glass that was to be changed, happened unluckily to break one of the panes.

For this atrocious crime, as Laud termed it, though in effect it was more than an accident, Sherfield was fined five hundred pounds, removed from his office, condemned to make acknowledgment, and find security for his good behaviour.

To show the greater alienation from the churches reformed after the Presbyterian model, Laud advised, that all the English regiments and trading companies abroad, should be obliged to adopt the discipline and worship of the church of England. All foreigners, of the Dutch and Walloon congregations, were ordered to attend the established church ; and indulgence was granted to none after the first Denizens.

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Scudamore too, the king's ambassador at Paris, was commanded to separate himself from the communion of the Hugonots. Every man of sense was apt to condemn this conduct; not only because it gave offence in England, but because, in foreign countries, it deprived the crown of the advantage which it had hitherto enjoyed, of being considered as the head and support of the Reformation.

So early as the coronation, Laud was the person who introduced a novelty, which, though over-looked by Charles, made a deep impression on the spectators. After the usual ceremonies, he addressed the king in the following terms : “ Stand and hold fast, from henceforth, the place, to which you have been heir, by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the bishops and servants of God. And as you see the clergy to come nearer the altar than others, so remember, that, in all places convenient, you give them greater honour ; that the mediator of God and man may establish you on the kingly throne, to be a mediator between the clergy and laity ; and that you may reign for ever with

"with Christ, the king of kings, and
"lord of lords."

Had Charles's arbitrary principles been confined merely to theory, as were those of his father James, he might have passed through the world with as much ease and tranquillity as did that monarch; but unhappily they were reduced into practice, and exerted with so little regard to the rights and privileges of the subject, as could not fail to excite a general spirit of discontent in the nation,

As the people always founded their hopes of relief or protection on the proceedings of parliament, the king, in order to prevent all opposition to his measures from that quarter, issued a proclamation, in which he declared, "that, whereas, for several ill ends, the calling again of a parliament is divulged; though his majesty has shown, by frequent meetings with his people, his love to the use of parliaments: yet the late abuse having, for the present, driven him unwillingly out of that course; he will account it presumption for any one to prescribe to him any time for the calling that assembly."

This was generally considered as a declaration that Charles was resolved to summon no more parliaments for the future; and

every measure which he now pursued, confirmed a suspicion so disagreeable to the body of the people.

Tonnage and poundage were continued to be levied by the sole authority of the king. The former arbitrary impositions were still exacted; and even new impositions were laid on several kinds of commodities. The custom-house officers were impowered, by the council, to enter forcibly into any house, warehouse, or cellar; to search any trunk or chest; and to break any bulk whatever; in default of the payment of the customs.

In order to exercise the militia, and keep them in good order, a certain sum was imposed on each county, for the maintenance of a muster-master appointed for that service. Compositions were openly made with Catholics; and the Popish religion became a regular part of the revenue. A commission was granted for compounding with such as were possessed of crown-lands, upon defective titles; and on this pretence some money was extorted from the people.

There was a law of Edward the second, ordaining that, whoever was possessed of twenty pounds a year in land, should be obliged, when summoned, to appear and to receive the honour of knighthood. Twenty

ty pounds at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to two hundred in the sixteenth and seventeenth century; and it seemed unreasonable that the king should adhere strictly to the letter of the law, or compel people of so small a revenue to accept of that expensive honour.

Edward the sixth, and queen Elizabeth, who had both employed this expedient for raising money, had summoned only those possessed of forty pounds a year and upwards to receive the honour of knighthood, or compound for their neglect; and Charles, without considering the great alteration in the value of money even since that period, followed the example of these two princes. He appointed commissioners for establishing the rates of composition; and he enjoined them not to accept of a less sum than the person would have paid upon a tax of three subsidies and a half.

An office was erected for the sealing of cards: a tax, which, of itself, was rather an object of praise than of blame; but was of the most dangerous consequence, when considered as an exertion of arbitrary and despotic power.

Monopolies were revived ; an oppressive method of raising money, being unlimited in its nature, as well as destructive of all industry.* The last parliament of James, which abolished monopolies, had made a very equitable exception in favour of new inventions ; and, on pretence of these, and of establishing new companies and corporations, was this grievance now renewed. The manufacture of soap was bestowed on a company, who paid a very considerable sum for their patent. Leather, salt, and many other commodities, even down to linnen-rags, were likewise put under restrictions.*

The council of York had been first erected, after a rebellion, by a patent from Henry the eighth, without the consent or authority of parliament ; and this exercise of power, like many others, had been indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court ; but, besides some innovations introduced by James, Charles had ventured, some time after Wentworth was made president, to enlarge its powers, and to invest it with a kind of civil jurisdiction, which, in some respects, was even discretionary.

tionary. In consequence of this illegal measure, all the northern counties were deprived of the protection of the common law, and subjected to an authority which was wholly arbitrary.*

The court of Star-chamber was a grievance no less intolerable : it intrenched upon the privileges of the other courts, and imposed the heaviest fines, and inflicted the most severe punishments, beyond the usual course of justice. Sir David Foulis was fined five thousand pounds, chiefly because he had persuaded a friend to refuse compounding with the commissioners of knighthood.*

Prynne, a barrister of Lincoln's-inn, had composed a large quarto of a thousand pages, which he entitled *Histrion Mastyx*. Its professed design was to decry tragedies, comedies, interludes, music, and dancing ; but the author had likewise directed his satire against hunting, public festivals, christmas-keeping, bonefires, and may-poles. The players, he affirmed, led the most wicked and dissolute lives ; the play-houses, were Satan's chapels ; the play-haunters, little less than incarnate devils ; and so many steps in a dance, so many paces to hell.

He

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He had obtained a licence from archbishop Abbot's chaplain, for printing this book; yet was he indicted in the Star-chamber as a libeller. It was thought somewhat hard, that general invectives against plays, should be construed into satyrs against the king and queen, merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes, which were represented at court.

The author, indeed, had taken occasion, in the most violent manner, to condemn the hierarchy, the ceremonies, the innovations in religious worship, and the superstitions, introduced by Laud. The music in the churches, he said, was not the noise of men, but the bleating of brute beasts: choiristers bellow a tenor, as it were oxen; bark a counter-point, as it were a kennel of dogs; roar out a treble, as it were a sort of bulls; and grunt out a base, as it were a number of hogs. Christmas, he affirmed, as it is kept, is the Devil's Christmas; and he employed a great number of pages to prove that Christ was a Puritan, and to persuade men to adopt that appellation.

From this specimen of the author's fanaticism, or rather, indeed, of his frenzy,
the

the reader will be inclined to think, that his most proper punishment would have been to have sent him to Bedlam; but he was condemned to be put from the bar; to stand on the pillory in two places, Westminster and Cheapside; to lose both his ears, one in each place; to pay a fine of five thousand pounds to the king; and to be imprisoned during life.

This summer, Charles made a journey into Scotland, accompanied by his court, in order to hold a parliament there, to pass through the ceremony of his coronation, and to establish, if possible, the English Liturgy into that country. The act for regulating the habits of clergymen was easily passed; but the attempt to introduce the Liturgy was attended with the most fatal consequences, as will be seen in the sequel.

During the king's absence, Abbot, archbishop of Canterbury, had died; and Charles was no sooner returned to England, than he bestowed that dignity on his favourite, Laud; who, by this accession of authority, was now enabled to support ecclesiastical discipline with greater rigour, and to inflame the general discontent of the nation.

Laud

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Laud procured the bishopric of London for his friend Juxton; and, about a year after Portland's death, he even persuaded the king to promote that prelate to the office of lord high treasurer. Juxton was possessed of many virtues, and endued with a good understanding: yet was this last promotion extremely disagreeable to the nation. His birth and character were too obscure for a man advanced to one of the highest posts of the kingdom: and the clergy, it was thought, were already too much elated by former marks of the king's indulgence, and needed not this farther encouragement to domineer over the laity.

The tax of ship-money was now imposed. The first writs of that kind had been only directed to sea-port towns: but ship-money was at this time levied on the whole kingdom; and each county was assessed in a particular sum, which was afterwards exacted from individuals.*

Though the amount of the whole tax was very moderate, being little more than two hundred thousand pounds; though it was collected with justice and equity; and was entirely expended in repairing and main-

maintaining the navy: yet did it give great and general offence to the people. It was wholly arbitrary: by the same right any other tax might be imposed: and men considered a powerful fleet, though very necessary, both for the honour and security of the kingdom, as a poor compensation for their liberties, which were thus sacrificed in order to obtain it.

Some laws had been made in the reign of Henry the seventh, against depopulation, or the practice of converting arable lands into pasture. By a sentence of the Star-chamber Sir Anthony Roper was condemned in a fine of four thousand pounds for a trespass of this nature. This severe punishment was meant to frighten others into a composition; and above thirty thousand pounds were raised by that expedient.

Like compositions, or, in default of them, heavy fines, were extorted for encroachments on the royal forests; which, by the most arbitrary and illegal decrees, were extended greatly beyond their usual limits.

Morley was fined in the sum of ten thousand pounds, for reviling, challenging, and striking, in the court of White-hall, Sir George Theobald, one of the king's

king's servants. Loud complaints were raised against the exorbitancy of this fine; but whether it was compounded, as was usual in fines imposed by the Star-chamber, historians have not thought proper to acquaint us.

Allison had said, that the archbishop of York had advised the king to indulge the Catholics with a limited toleration, and a permission to build some churches for the exercise of their religion. For this slander against the archbishop, he was sentenced by the Star-chamber to pay a fine of ten thousand pounds, to be committed to prison, to find security for his good behaviour during life, to be whipped, and to be set on the pillory at Westminster, and in three other towns of England. The same punishment was inflicted on Robins, who had been concerned with him in propagating the report.

The nobility, indeed, and the courtiers of that age exacted a most slavish and submissive deference from those of inferior stations; and whenever the latter failed in what was supposed to be their duty, they were sure to be punished with the utmost rigour and severity.

Clarendon relates a pleasant incident to this purpose. A waterman, belonging to a man

a man of quality, having a squabble with a citizen about his fare, pointed to his badge, the crest of his master, which happened to be a swan ; and thence insisted on better treatment from the citizen : but the other replied carelessly, that he did not trouble his head about that goose. For this expression he was cited before the Marshal's Court, was severely fined for having defamed the nobleman's crest, by calling the swan a goose, and was in effect reduced to ruin.

Sir Richard Granville having received an injury from the earl of Suffolk, had engaged in a law-suit with him ; and in the course of the trial he had happened to say of that nobleman, that he was a base lord. The evidence against him was extremely weak : yet for this slight offence, insufficiently proved, he was condemned by the Star-Chamber to pay a fine of eight thousand pounds ; one half to the earl, and the other to the king.

It may not be improper to mention another affair of this nature, which, though it happened in the beginning of the former reign, serves to shew the slavish subjection in which the nobility endeavoured to hold the commons.

Sir George Markham, following a ~~chaunc~~, where the lord Darcy's huntsman was exercising his hounds, kept closer to the dogs, than was thought proper by the huntsman, who, besides other rudeness, loaded him with many scurrilous and opprobrious epithets, which Sir George returned with a stroke of his whip. The huntsman threatened to complain to his master: the knight answered, if his master had been guilty of the same insolence he would have served him in the same manner, or words to that effect. Sir George was summoned before the Star-Chamber, and fined in the sum of ten thousand pounds; "so fine a thing was it in those 'days to be a lord!" says the ingenuous lord Lansdown in relating this incident.

In imitation of the example of Elizabeth and James, Charles had published proclamations, commanding all the landed gentlemen and nobility to quit London, and retire to their country seats.* For disobedience to this order, many were summoned before the Star-Chamber, and condemned in heavy fines.

Ray, having exported fuller's earth, contrary to the king's proclamation, was sentenced

Sentenced to stand on the pillory, and to pay a fine of two thousand pounds. Like fines were imposed on Terry, Eman, and others, for disobeying a proclamation, prohibiting the exportation of gold.

These incidents, though some of them may seem trifling in their own nature, we have thought proper to mention, because they discover the arbitrary genius of the government; and because they served to inflame that spirit of discontent and disaffection, which, soon after, threw the kingdom into such terrible combustion.

Next year,* the king equipped a considerable fleet, and bestowed the command of it on the earl of Northumberland, who was ordered to attack the herring-busses of the Dutch, which fished in the British seas. The Hollanders were obliged to purchase a permission for this season, by paying the sum of thirty thousand pounds.

They openly denied, however, this claim of dominion in the seas; and this dispute produced the two famous treatises of *Mare Liberum*, and *Mare Clausum*; the former written by Grotius, the latter by Selden.

Soon after, the king sent a squadron against Sallée; and, with the assistance of

the emperor of Morocco, destroyed that nest of pyrates, who had long interrupted the commerce, and even insulted the coasts of England. Burton, a divine, and Bawwick, a physician, were cited before the Star-Chamber for having published seditious pamphlets, and were condemned to undergo the same punishment which Prynne had suffered.* Prynne himself was tried for a new offence; and, together with another fine of five thousand pounds, was condemned to lose the remainder of his ears. These writers, it must be owned, had attacked the rites and government of the church with the most indecent scurrility: yet the punishment, which they suffered, being so unworthy men of their profession, gave general offence; and the patience, or rather alacrity, with which they submitted to their sentence, inflamed still farther the indignation of the public. The severity of the Star-Chamber was commonly ascribed to the passionate disposition of Laud, whose superstition in introducing new ceremonies could only be exceeded by the rigour with which he inforced their observance.

The

* A. D. 1637.

The Puritans, finding it impossible to enjoy the free exercise of their religion in England, shipped themselves off for America, and laid there the foundations of a government, which possessed the most perfect liberty, both civil and ecclesiastical.

But their enemies, unwilling that they should any where live in peace and tranquillity, and disliking, perhaps, the dangerous consequences of so disaffected a colony, persuaded the king to publish a proclamation, precluding these religionists from all access even into these inhospitable deserts.

Eight ships, lying in the river, and ready to sail, were stopped by order of the council; and on board of these were Sir Arthur Hazlerig, John Hampden, Oliver Cromwel, and other leaders of the Puritans. The king had afterwards reason to repent this exertion of his authority.

Laud, by rigorously insisting on uniformity, had compelled many industrious tradesmen to leave the city of Norwich, and to take refuge in Holland, where they taught the natives the art of managing the woolen-manufacture; an event, which has been extremely prejudicial to the commerce of England.

Loud complaints were at this time raised, that the petition of right was openly violated by refusing bail or releasement to Jennings, Pargiter, and Danvers, who had been imprisoned by the king and council.

Williams, bishop of Lincoln, a man of great abilities, a very popular prelate, and who had been lord-keeper, was condemned in a fine of ten thousand pounds, imprisoned in the Tower during the king's pleasure, and suspended from the exercise of his office. This severe sentence was founded on a false accusation of his having uttered disloyal words against the king, and suborned witnesses in a trial; but, in reality, was owing to the implacable vengeance of archbishop Laud.

Laud, however, had been entirely indebted to the good offices of that prelate for his first introduction to court. But so ungrateful was the haughty primate, that he raised up a new prosecution against Williams, on the most absurd and ridiculous pretence. In order to levy the above-mentioned fine, some officers had been sent to seize all the furniture and books of the episcopal see of Lincoln; and in searching the house, they found some old letters, which had been thrown aside, as useless.

These

These letters were written by Osbaldiston, master of Westminster-school, and were addressed to Williams. Mention was there made of "a little great man;" and in another place, the same person was called "a little urchin." By forced inferences and constructions these epithets were applied to Laud; and on this supposition Williams was tried a-new, as having received scandalous letters, without revealing that secret correspondence.

For this offence he was condemned by the Star-Chamber, in another fine of eight thousand pounds: Osbaldiston was likewise brought to trial, and sentenced to pay a fine of five thousand pounds, and to have his ears nailed to the pillory before his own school. From this disgraceful punishment he saved himself by flight; and left a note in his study, where he said, "that he was gone beyond Canterbury."

In 1632, the earl of Portland, then lord treasurer, had demanded of the vintners that they should pay a tax of a penny a-quart upon all wine which they retailed: but this proposal they utterly rejected. To punish them for this refusal, a decree was suddenly, without trial or examination, passed in the Star-Chamber, discharging them to dress or sell victuals in their houses.

Two

Two years after, they were summoned to answer for breach of this decree; and in order to ward off the danger, they agreed to lend the king six thousand pounds. Being threatened, during the subsequent years, with fines and prosecutions, they at last compromised the matter, and consented to pay half the duty, which was at first demanded of them. It was easy to foresee, that the king's right of issuing proclamations, must, in the end, terminate in a power of imposing taxes.

Lilburne was cited before the Star-Chamber, for publishing and dispersing seditious pamphlets. He was ordered to be examined; but refused to take the oath, usual in that court, that he would answer interrogatories, by which he might be led to betray himself.

For this refusal, he was condemned to be whipped, pilloried, and imprisoned. While he was whipped at the cart, and exposed on the pillory, he harangued the populace, and inveighed bitterly against the tyranny of the bishops and the oppressions of the Star-Chamber. From his pockets likewise he scattered pamphlets, said to be seditious; because they glanced at the hierarchy. The Star-Chamber, which was sitting at that very time, ordered him imme-

immediately to be gagged. He ceased not, however, though both gagged and pilloried, to stamp with his feet and gesticulate with his body, in order to shew the people, that, if he was able, he would still harangue them.

This behaviour incensed still farther the members of the Star-Chamber; and they condemned him to be thrown into a dungeon, and to be loaded with irons. Had not the judges been as stupid as they were cruel, they might have easily perceived, that it was impossible, by such severities, to break the spirits of men, who placed both their honour and their conscience in suffering with fortitude.

The jealousy of the church appeared in another instance of a less tragical nature. Archy, the king's fool, was allowed by his office, to jest on his master and the whole court: but he soon found that it was more dangerous to attack the favourite than the sovereign. News having been brought from Scotland of the first commotions raised by the clergy, Archy, seeing the primate pass by, called out to him, "who's fool, now, my lord?" For this insult, as it was called, Archy was condemned by a sentence of the council, to have his coat pulled over his head, and

and to be discharged from the king's service.

Nor did Laud only insist on the most implicit submission from all men in public : it was even dangerous for any one to mutter against him in private. Some young gentlemen of Lincoln's-Inn, heated by their cups, having drank confusion to the archbishop of Canterbury, were, at his instance, summoned before the Star-Chamber. They had recourse to the earl of Dorset for protection. " Who bears witness against you ?" said Dorset. " One of the drawers," they answered. " Where was he standing ?" said the earl, " when you was supposed to drink the health ?" " He was at the door," they replied, " going out of the room." " Tush !" cried he, " the drawer was mistaken : you drank confusion to the archbishop of Canterbury's enemies, and the fellow was gone before you pronounced the last word."

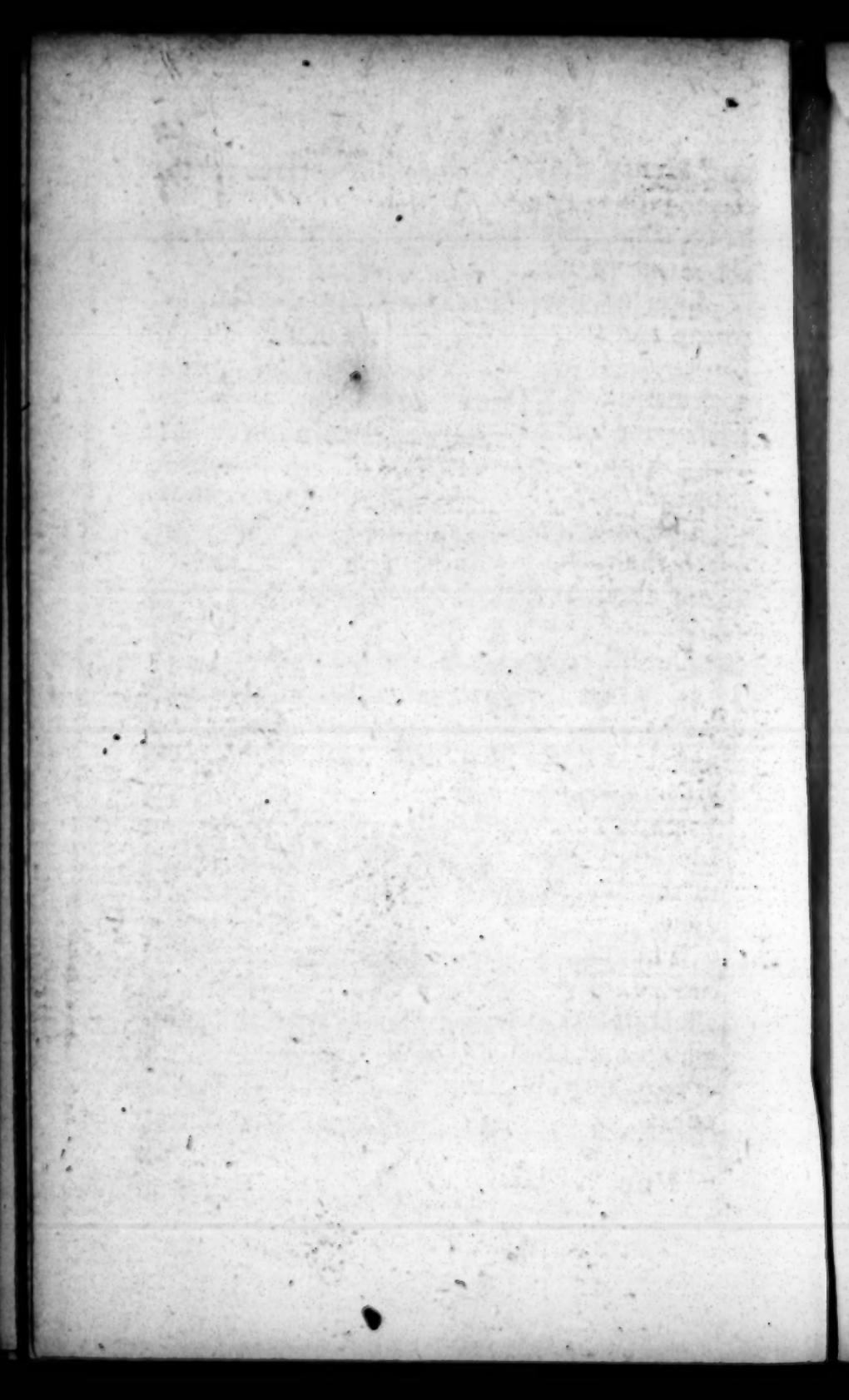
This hint furnished the young gentlemen with a new method of defence ; and being advised by Dorset to behave with great deference and respect to the primate, they escaped with a sharp reproof for their imprudence, and a friendly admonition

SACKVILLE Marquis of DORSET



J. Huddt sculp'

Engrav'd for Rider's History of England



monition not to expose themselves to the like suspicions for the future.

After the imposing of ship-money, Charles, in order to prevent all opposition, had proposed this question to the judges; “whether in a case of necessity, for the defence of the kingdom, he might not, by his own authority, levy this tax; and whether he was not the sole judge of the necessity?” the judges, partly through ignorance, but chiefly through a slavish complaisance to the court, answered, “that in a case of necessity, he might, by his own authority, levy that tax; and that he was the sole judge of the necessity.”

In consequence of this declaration, most people submitted to the tax, though not without some secret murmurs: but amidst the general spirit of despair and despondency which now possessed the nation, there was one man who had courage and resolution enough to oppose the arbitrary measures of the court, and to stand up in defence of the laws and liberties of his country.

This was the famous John Hampden who has gained immortal honour by the noble part which he acted on this occasion. He had been rated at twenty shillings for an estate, which he held in Buckinghamshire: yet

yet notwithstanding the solemn opinion of the judges, notwithstanding the great power, and sometimes rigorous maxims of the crown, notwithstanding the little hopes of assistance from parliament; he determined, rather than comply with so illegal an imposition, to try the issue of a legal prosecution, and expose himself to all the resentment and indignation of the court.

The case was argued during twelve days, in the Exchequer-Chamber, before all the judges of England; and the people beheld, with the utmost anxiety, every step of a trial, which, though it seemed only to relate to the affair of Mr. Hampden, was for ever to decide the fate of national liberty.

"Nothing" said Mr. Hampden's council, "can be more absurd, than to introduce "the plea of necessity into a trial of law; "since it is the nature of necessity to cancel all law, and, by irresistible force, to dissolve all the weaker and more artificial ties of human society. Not only the "prince, in cases of extreme distress, is free "from the observance of the law: all men "are then reduced to a level; and any "member of the state may consult the public "safety by any expedient, which he is able "to employ. But to produce an effect so "violent, and so dangerous to every society

"an

" an ordinary necessity is not sufficient ;
" much less, a necessity, which is merely
" fictitious and imaginary. Where the dan-
" ger is great and inevitable, it will be
" evident to every member of the commu-
" nity ; and though all ancient rules of
" government are in that case abolished,
" men will readily, of themselves, acknow-
" ledge that authority, which is exerted for
" their preservation,

" But what relation is there between
" such suppositions and the present condi-
" tion of England ? The English live in pro-
" found peace with all their neighbours,
" and, what is more, all their neighbours
" are engaged in furious and bloody wars
" among themselves, and by their mutual
" quarrels further ensure the tranquillity
" of the kingdom. The very writs them-
" selves, which are issued for the levying of
" ship-money, contradict the pretence of
" necessity, and alledge only, that the seas
" are infested with pyrates ; a slight and
" trivial inconvenience which may well wait
" a legal supply from parliament. The
" writs also allow several months for fitting
" out the ships ; a circumstance which
" seems to denote a very calm and delibe-
" rate kind of necessity, and one that ad-
" mits of delay much beyond the forty-

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" days requisite for convoking that assembly. 'Tis surprizing too, that an extreme necessity, which is always evident, and commonly comes to a sudden crisis, should now have existed for near four years, and should have continued, during so long a time, invisible to the whole kingdom. And as to the pretence that the king is the sole judge of, the necessity; what is this, but to subject all the priveleges of the nation to his arbitrary will and pleasure? to endeavour to deceive the public by such false and superficial reasoning, must inflaine the general indignation; by adding, to violence against men's persons and their property, so cruel a mockery of their understanding."

Notwithstanding all these reasons, to which the crown-lawyers had nothing to oppose, the prejudiced or prostituted judges, four only excepted, gave sentence against Hampden. That gentleman, however, though seemingly foiled, had, in reality, obtained the end for which he had so generously sacrificed his safety and his quiet: the people were awakened from their lethargy, and began to perceive the danger, which threatened the liberties of the nation.

These

These questions became the subject of conversation in almost every company ; and the more they were considered, the more plainly did it appear, that the ancient constitution was overturned, and a new and arbitrary government introduced into the kingdom. Slavish principles, it was said, were followed by illegal practices ; ecclesiastical tyranny supported civil usurpation ; iniquitous taxes were enforced by arbitrary punishments ; and all the privileges of the people, enjoyed for so many ages, confirmed by so many laws, and purchased by the blood of so many heroes and patriots, now lay prostrate at the feet of the monarch,

But, notwithstanding the general spirit of discontent which prevailed among all ranks of men, affairs might have long continued on their present footing in England, had it not been for the neighbourhood of Scotland ; a country more turbulent, and less disposed to submission and obedience. It was from thence that the first commotions proceeded ; and it is therefore time for us to return thither, and to give an account of the situation of that country.

We have already remarked that James had no sooner ascended the throne of England than he formed the design of reducing the Scottish church to a perfect conformity

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with the English ; and had even taken some important steps towards the accomplishment of that project. Charles was desirous of completing the work which his father had begun ; and, in order to effect his purpose with the greater ease, he endeavoured to increase the authority of the prelates, who, as they depended entirely on the crown, were extremely ready to concur with their sovereign in all his undertakings.

Many of the bishops he, accordingly, advanced to the chief dignities of the state : Spotswood, archbishop of St. Andrews, was created chancellor : nine of the prelates were made privy counsellors : the bishop of Ross aspired to the office of treasurer : some of the same order enjoyed places in the Exchequer : and an attempt was even made to revive the first institution of the college of justice, and divide equally between the clergy and laity the whole judicial authority.

These advantages, which were possessed by the church, and which the bishops did not always enjoy with becoming moderation, offended the haughty nobility, who thinking themselves superior in rank and quality to this new order of men, were incensed to find themselves so greatly inferior in power and influence.

Interest

Interest co-operated with ambition ; and begot a jealousy lest the episcopal sees, which, at the Reformation, had been plundered by the nobles, should again be enriched at their expence. By a most useful and salutary law, the impropriations had already been ravished from the great men : power had been given to allot, to the impoverished clergy, competent livings from the tythes of each parish : and what remained, the proprietor of the land was allowed to purchase at a low rate. The king had even signified his intention of resuming all the crown lands, alienated by his predecessors ; and though he took no step towards the execution of this project, the very intimation of such a design had excited jealousy and dissatisfaction.

The ministers, in general, equalled, if not exceeded, the nobility, in their prejudices against the court, against the prelates, and against episcopal authority ; and it must be owned, that the bishops, by their imprudent behaviour, had given but too much occasion for these prepossessions. They had abolished the jurisdiction of presbyteries, synods, and other ecclesiastical courts ; and they had even prevented, for several years, the meeting of the general assembly. They exacted a new and arbitrary oath of all intrants, binding them to observe the

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articles of Perth, and to submit to the liturgy and the canons. And, in a word, they discovered, by their whole conduct, that they were fully determined to concur with the sovereign in altering the form of the national religion.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which actuated these two orders : they considered the introduction of episcopacy only as a preparative to the re-establishment of Popery ; and as this last was an object, to which they had justly conceived the most inveterate aversion, they were resolved to oppose every measure, which, in their opinion, had the least tendency towards the restoration of that superstition.

Such was the disposition of men's minds in Scotland, in the year 1635, when the canons were published for establishing ecclesiastical jurisdiction ; and though they were received without any seeming opposition, they yet were productive of great inward jealousy and discontent. People were displeased to see the royal authority so highly exalted by them, and represented as altogether absolute and unlimited. They observed, that these speculative principles were reduced to practice, and a whole body of eccl-

ecclesiastical laws established, without the concurrence either of church or state.

They were apprehensive that, by a parity of reason, like arbitrary authority, from like practices and principles, would be usurped in civil matters. They perceived, that the delicate boundaries which separate church and state, were already passed ; and many civil ordinances established, by the canons, under colour of ecclesiastical institutions. And they had good reason to deride the negligence of those who compiled these important edicts ; when they found, that the new liturgy, or service-book, was every where, under the severest penalties, enjoined by them, though it had not yet been composed or published. It was, however, soon expected ; and, in the reception of it, it was commonly imagined, the chief difficulty would consist.

The liturgy, which Charles, from his own authority, intended to introduce into Scotland, was copied from that of England ; but, not to shock the pride of his ancient subjects, by a servile imitation of their southern neighbours, he caused a few alterations to be made in it ; and, in that form, transmitted it to the bishops at Edinburgh, with orders to begin the use of it with all convenient speed.

Easter-

Easter-day was, by proclamation, appointed for the first reading of the service ; but, in order to sound the dispositions of the people, the council postponed the matter till the twenty-third of July ; and they even gave notice, the Sunday before, of their design to commence the use of the new liturgy.

As this intimation was quietly received, they imagined, that they might safely proceed in their purpose ; and, accordingly, in the cathedral church of St. Gyles, the dean of Edinburgh, arrayed in his surplice, began the service, the bishop himself, and the members of the privy-council, being present.

But no sooner had the dean opened the book, than a multitude of the meanest sort, chiefly women, clapping their hands, cursing, and crying, “ A pope ! a pope ! anti-“ christ ! stoue him ! ” raised such an uproar, that it was impossible to proceed with the service. The bishop mounting the pulpit, in order, if possible, to allay the tumult, had a stool thrown at him : the council were insulted and abused : and it was not without the utmost difficulty, that the magistrates, partly by authority, partly by force, were able to expel the rabble, and to shut the doors of the church against them.

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The mob, however, still continued without : stones were thrown at the doors and windows : and, when the service was finished, the bishop, going home, was assaulted in the streets, and narrowly escaped being torn in pieces by the hands of the furious populace.

It was strongly suspected, that the low rabble, who alone had appeared in the tumult, had been egged on by some of higher condition ; but no proof of this could ever be produced : and every one affected to condemn the licentiousness of the giddy multitude. It was judged imprudent, however, to hazard a new insult by any new attempt to read the liturgy ; and the populace seemed, for the present, to be perfectly satisfied.

But, when it was known, that the king still persisted in his resolution of establishing that mode of worship, men began to contract a more inveterate prejudice against it ; and people flocked from all quarters to Edinburgh, in order to prevent the introduction of a novelty, which they so much detested.

Nor was it long, before they broke out into the most violent disorder. They assaulted the bishop of Galloway in the streets, and chased him into the chamber where the privy-council was sitting. They surrounded and

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and attacked the council itself : they treated the town-council in the same manner ; and had it not been for the interposition of some popular lords, who had great influence with them, they would probably have proceeded to acts of the most desperate outrage. In this sedition the actors were of some better condition than in the former ; though no person of rank seemed, as yet, to countenance them.

All men, however, began to unite and to encourage each other in opposing the religious innovations introduced into the kingdom. Petitions to the council were signed and presented by persons of the first quality : the clergy inveighed bitterly against the new liturgy, which they represented as the forerunner of Popery : the pulpits resounded with vehement invectives against the tyranny of the king and ministers : and the populace, who first opposed the service, was often compared to Balaam's ass, an animal, in itself, stupid and senseless, but whose mouth the lord had opened to the admiration of the whole world.

In a word, the whole nation, excepting those only who had an immediate dependence upon the crown, seemed to join in one general combination, in order to defend their religious liberties, and to preserve that form

form of church government which had been established by their ancestors.

The primate, a man of wisdom and moderation, who had all along disapproved of the new liturgy, represented to the king the state of the nation; and the earl of Traquaire, lord treasurer, repaired to London, in order to acquaint him more fully with the matter: every circumstance, whether the situation of England or Scotland was considered, should have induced him to abandon a project begun with such fatal consequences.

But the imprudence of Charles's measures was only exceeded by the obstinacy with which he pursued them. He still persevered in his resolution of introducing his liturgy into Scotland: he issued a proclamation, in which he pardoned all past offences, and exhorted the people to be more submissive for the future, and to receive peaceably that form of worship which he was pleased to prescribe.*

This proclamation was instantly opposed by a public protestation, presented by the earl of Hume and lord Lindsey; and this was the first time that men of quality had appeared to countenance the proceedings of the people. But this proved a crisis. The spirit of discontent, which had been gradually spreading among all ranks

ranks of men, now blazed out at once, No disorder, however, ensued. On the contrary, a new order immediately succeeded. Four tables, as they were called, were established in Edinburgh. One was composed of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry consisted of several subordinate tables according to their different counties. Orders were issued by them, and ~~ever~~ where executed with the most implicit obedience: and among the first acts of their government was the production of the Covenant.

This famous Covenant, which has been so much extolled by its friends, and so much detested by its enemies, was no other than a solemn renunciation of Popery, and a mutual bond, by which the subscribers engaged, upon oath, to oppose all religious innovations, and to assist each other against all persons whatsoever. As it was perfectly agreeable to the sentiments of the whole nation, it was, in a few days, subscribed by persons of all ranks and conditions.

The king began to be apprehensive of the consequences. He sent the marquis of Hamilton, as his commissioner, and impowered him to treat with the Covenanters.

He

He insisted that the Covenant should be renounced and abolished; and, possessed, as he was, with a high notion of his royal prerogative, he imagined, that he had made very large concessions, when he offered to suspend the canons and the liturgy, until they could be introduced in a fair and legal manner.

Such general declarations were but ill calculated to satisfy the demands of the Covenanters. They found themselves supported by the zeal of the whole nation. Above sixty thousand people were assembled in the neighbourhood of Edinburgh. Charles possessed no regular forces in either of his kingdoms: and thecontents in England, though secret, were supposed to be so violent, that the king, it was presumed, would find it difficult to employ in such a cause the power of that nation.

The more, therefore, the popular leaders in Scotland considered their situation, the less were they inclined to comply with the king's injunctions, and the more firmly determined to insist on a complete satisfaction. In answer to Hamilton's proposal of renouncing the Covenant, they plainly told him, that, as they had engaged in a general combination to defend their civil and reli-

religious liberties, they were fully resolved to hazard their lives and fortunes in support of so good a cause.

Hamilton, finding all his endeavours ineffectual, returned to London : made another fruitless journey, with new concessions, to Edinburgh : returned again to London ; and was immediately sent back with still more satisfactory offers.

The king was now content to abolish entirely the Canons, the Liturgy, and the High-Commission-Court, the erection of which had given great offence to the nation. He was willing to circumscribe within more narrow bounds the power of the bishops ; and thought himself happy, if, on any terms, he could preserve that order in the church of Scotland. And to render all these offers the more acceptable, he empowered Hamilton to convoke first an assembly, then a parliament, where every public grievance might be redressed.

These successive concessions of the king, which yet fell infinitely short of the rising demands of the malecontents, discovered his own weakness, confirmed them in their former resolutions, and were far from giving any satisfaction. The offer, however, of an assembly and a parliament, in which they knew they should be entire masters,

masters; was readily accepted by all the Covenanter.

Charles, perceiving the advantage, which his enemies had derived from their covenant, determined to have a covenant on his side; and he accordingly caused one to be framed for that purpose. It contained the same solemn renunciation of Popery abovementioned; which, whatever might be his private sentiments, he thought it safest to profess, in order to remove the prejudices, which the Scots had conceived against him. And as the Covenanters, in their bond of mutual defence against all opposers, had not condescended to except even the king; Charles had framed a bond, which was subjoined to this renunciation, and which expressed the duty and allegiance, which the subscribers owed to his majesty.

But the Covenanters, finding that this new bond was only intended to weaken and divide them, rejected it with the utmost contempt and disdain. And they instantly applied themselves to the modelling the future assembly, from which they expected the redress of all their religious grievances.

The clergy of Scotland, though such a tumult was raised about religion, were

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neither remarkable for their members nor their riches ; nor are they to be considered as the authors of that combination in which the whole kingdom was now engaged. On the contrary, the laity, apprehending, from some instances, which they had observed, a spirit of moderation in that order, determined to assume an absolute authority in the assembly, which was summoned, and to force the ecclesiastics into a compliance with those measures, which they intended to pursue.

It had been customary, before the establishment of Prelacy, for every Presbytery to send to the assembly, besides two or three ministers, one lay-commissioner ; and, as all the boroughs and universities enjoyed the same privilege, the lay-members, in that ecclesiastical court, were nearly equal, in number, to the clergy.

Not only was this institution, which had been abolished by James, now revived by the Covenanters ; they also introduced an innovation, which contributed still farther to hold the clergy in subjection. By an order of the tables, whose authority was supreme, an elder, from every parish, was empowered to attend the Presbytery, and to vote in the choice both of the commissioners and ministers, who should be

be sent to the assembly : and as the ministers, who are put in the list of candidates, are not wont to claim a vote, the whole elections were, by that means, determined by the laity : the most zealous of all ranks were chosen : and the more to overawe the clergy, a new expedient was put in practice : to every commissioner, four or five lay-assessors were assigned, who, though they could have no vote, yet might interpose with their counsel and authority in the assembly.

The assembly met at Glasgow on the twentieth day of November ; and, besides a great concourse of the people, all the nobility and gentry of any rank or interest attended, either as members, assessors, or spectators ; and it was evident, that the views of the Covenanters could here meet with no opposition.

A resolution had been previously taken of utterly abolishing Episcopacy ; and, in order to accomplish that purpose with the greater ease, there was presented to the Presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, charging them with a variety of crimes, of which many of them were certainly guilty, tho'

it is to be presumed that some of them were entirely innocent.

The bishops sent a protest, declining the authority of the assembly : the commissioner too protested against the legality of that court, as unduly constituted and elected ; and, in his majesty's name, dissolved it.

As this measure had been foreseen, it was entirely disregarded. The court still continued to sit, and to transact their business. All the acts of assembly, since the accession of James to the crown of England, were pronounced null and invalid.

The acts of parliament, which interfered with ecclesiastical affairs, were declared to have no authority. And thus Episcopacy, the High Commission, the Articles of Perth, the Canons, and the Liturgy, were utterly abolished : and the whole fabric, which James and Charles, in a long course of years, had been rearing with so much care and industry, was at once thrown to the ground. The Covenant too was ordered to be subscribed by every one, under pain of excommunication.

These vigorous proceedings the Covenanters were resolved to support by measures

sures no less vigorous.* Forces were regularly enrolled and disciplined. Arms were commissioned and imported from foreign countries. The earls of Argyle, Rothes, Cassils, Montrose, Lothian, the lords Lindsey, Loudon, Yester, Balmerino, exerted themselves with great activity in raising their vassals and dependants.

Many Scottish officers who had acquired reputation in the German wars, particularly under Gustavus, were invited over to assist their country in her present distress. The command of the army was committed to Lesley, a general of great courage and conduct. A few castles, which belonged to the king, being destitute of provisions, garrisons, and ammunition, were easily seized. And the whole country, except a small part, where the marquis of Huntley still adhered to the king, being in the hands of the Covenanters, was, in a short time, put into a posture of defence.

Charles was no sooner informed of these military preparations, than he resolved to reduce the Scots by force of arms. By regular œconomy he had amassed a sum of two hundred thousand pounds, which he reserved

* A.D. 1639.

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reserved for any sudden emergence. Laud found means to procure a liberal supply from the clergy ; the queen had sufficient interest to obtain a large contribution from the Catholics ; and by all these means the king was enabled to equip a considerable fleet and army.

The fleet consisted of sixteen large ships, was furnished with five thousand land forces, and was commanded by the marquis of Hamilton, who had orders to sail to the Frith of Forth, and to make a diversion in the forces of the enemy.

The army amounted to about twenty thousand foot, and three thousand horse, and was conducted by the earl of Arundel, a nobleman of great family, but distinguished neither for his military nor political abilities. The earl of Essex, a man of strict honour, and extremely beloved by the soldiers, acted as lieutenant-general : the earl of Holland was general of the horse.

The king himself repaired to the camp, and summoned all the noblemen of England to attend him. The whole had rather the appearance of a splendid court than a military armament ; and in this situation, carrying more show than real force with it, the army arrived at Berwick.

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The Scottish army was equal, in number, to that of the king, but inferior in cavalry: the officers had more reputation and experience; and the soldiers, though ignorant of discipline, and ill supplied with arms, were actuated as well by the national antipathy to England, and the fear of becoming a province to their old enemy, as by an extinguishable zeal for their religious liberties. Notwithstanding these favourable circumstances, the leaders of the malecontents were so prudent as to send a submissive message to the king, and craved leave to be admitted to a treaty.

There were many reasons which inclined Charles to listen to this proposal. The Covenanters had been equally industrious and successful, in persuading the English, that Scotland laboured under the most intolerable grievances, and that their sovereign had been induced to pursue the most arbitrary and tyrannical measures.

Their liberties, they said, were ravished from them: the prerogatives of the crown enlarged beyond all precedent: illegal courts established: the Hierarchy exalted at the expense of national privileges: and so many absurd superstitions introduced by the haughty and insolent prelates, as created a suspicion,

that

that a design was seriously formed for the restoration of Popery.

The king's conduct in Scotland, it must be owned, had been, in every thing, except in establishing the ecclesiastical canons, more moderate and gentle than in England: yet was there such a strong resemblance between the complaints of both kingdoms, that the English gave entire credit to the representations of the Scottish malecontents, and believed that nation to have been driven, by oppression, into the violent measures which they adopted. So far, therefore, from being inclined to second the king in reducing the Scots to a state of slavery; they rather pitied that unhappy people, who had been treated with so much rigour and severity: and they imagined, that the assistance of such neighbours might, one day, be useful to England, and enable her, by some vigorous effort, to attempt the recovery of her violated laws and liberties.

The nobility and gentry, who, without attachment to the court, without command in the army, attended the English camp in great numbers, readily embraced, and carefully propagated these sentiments: a shameful retreat, which the earl of Holland, at the head of a considerable body of English, had made before an inferior number

ber of Scots, had struck a panic into the whole army: and Charles, influenced by all these motives, suddenly assented to a measure, which was so warmly recommended to him by all his courtiers, and which was so agreeable to his natural propensity towards the subjects of his native kingdom.

A pacification was accordingly concluded, in which it was agreed, that the English fleet and army should be immediately withdrawn; that, within eight and forty hours, the Scots should disband their forces; that the king's forts should be restored to him; his authority acknowledged; and a general assembly and parliament be forthwith summoned, in order to compromise all differences.

Charles, having once embraced pacific measures, ought, in prudence, to have adhered to them, and have submitted to every reasonable condition, demanded by the assembly and parliament; nor should he have renewed the war but on account of such extravagant pretensions, as would have been sufficient, if possible, to convince the whole English nation of the justice of his quarrel.

This plan, indeed, he so far pursued, that he promised, not only to ratify his former concessions, of cancelling the canons, the liturgy, the high commission, and the articles

articles of Perth; but also to abolish the very order of bishops, an institution for which he had hitherto so strenuously contended.

But this concession be made with the most extreme reluctance : he even secretly entertained a resolution of embracing the first favourable opportunity, in order to regain the ground he had lost; and one step further he could not be induced, by any arguments, to advance.

The assembly had no sooner met, than without paying the least regard to the king's prejudices, they proceeded to gratify their own. They declared episcopacy to be unlawful in the church of Scotland ; he acknowledged it to be contrary to the constitutions of that church. They represented the liturgy and canons as Popish institutions ; he was willing to abolish them. They affirmed the high commission to be a stretch of tyranny ; he offered to set it aside.

The parliament, which met after the assembly, laid claim to several pretensions, which tended still farther to abridge the power of the crown ; and what, perhaps, was more disagreeable to Charles, they were going to confirm the acts of assembly, when, by the king's order, Traquaire the commissioner, interrupted their proceedings by a prorogation. And on account of these claims, which might have been easily foreseen, were hostilities recommenced ; with great advan-

advantages on the side of the Covenanters, and infinite disadvantages on that of the king.

On the conclusion of the late peace, Charles had been obliged, by the necessity of his affairs, to disband his forces ; and as they had been held together merely by mercenary views, it was impossible, without great trouble and loss of time, again to collect them.

The more prudent Covenanters were sensible, that their pretensions, being contrary to the interest, and still more to the inclinations, of the king, would soon occasion a fresh rupture ; and they therefore took care, in dismissing their troops, to preserve nothing but the appearance of peace.

The officers were ordered to be ready on the first warning, the soldiers had the same injunctions : and the religious zeal, which possessed all ranks of men, made them flock to their standards, so soon as the signal was given.

The king, with great difficulty, was at last able to assemble an army ; but soon found, that, his Exchequer being utterly exhausted, and great debts contracted, his ordinary revenues would not be sufficient to maintain them. A parliament, therefore, after above eleven years intermission, after

ny and great disgusts given to the nation, must now be summoned, in order to supply the pressing exigencies of the crown.*

The earl of Traquaire having intercepted a letter, wrote to the king of France by the Scottish malecontents, had transmitted it to his master. Charles, partly repenting of the large concessions which he had made to the Scots, partly offended at their late pretensions, embraced this opportunity of breaking with them. He had committed to the Tower the lord Loudon, commissioner from the Covenanters ; one of the persons who had subscribed the treasonable letter : and he now laid the matter before the parliament, whom he hoped to inflame by the indignity, and alarm by the danger, of this application to a foreign power.

By the mouth of the lord-keeper, Finch, he informed them of his wants, and told them, that he had been able to levy and maintain his army, not by means of his ordinary revenue, but by contracting a large debt, of above three hundred thousand pounds, for which he had given security upon the crown-lands.

He said, that it was necessary to grant supplies for the immediate support of his military

* A. D. 1640.

military armaments ; that the season was far advanced, the time precious, and none of it to be lost in deliberation : that though his treasury was empty, it had not been exhausted in idle pomp, sumptuous buildings, or any other kind of magnificence : that whatever supplies he had received from the people, had been expended for their benefit and advantage ; that, though he desired such immediate assistance as might enable him to provide for the public tranquillity, he had no intention to deprive them of their just right of enquiring into the state of the kingdom, and presenting petitions for the redress of their grievances : that as much as possible of this season should be afterwards allotted for that purpose ; and that, as he demanded only such supply at present as the current service immediately required, it would be necessary to convene them again next winter, when they should have full leisure to conclude whatever business had, this session, been left imperfect and unfinished.

These arguments, however plausible, made no impression on the house of commons. They knew, from former experience, that the king would remember his promises no longer than he should be compelled by necessity ; and they therefore resolved

solved to adhere to their old and constitutional maxim of redressing the grievances of the nation, before they should grant a supply to the crown.

Mr. Pym, in a long and laboured speech, enumerated all the exertions of arbitrary power, and all the encroachments on the liberties of the people, which had taken place, since the dissolution of the former parliament. The house then proceeded to examine the behaviour of the speaker, on the last day of that parliament; when he refused, on account of the king's prohibition, to put the question; and they declared it a breach of privilege.

They next enquired into the imprisonment and prosecution of Sir John Elliot, Hollis, and Valentine: the affair of ship-money was discussed: and plentiful subject of enquiry and complaint was suggested on all hands. Grievances were regularly divided into three heads: those which regarded the privileges of parliament; those which concerned the property of the subject; and those which related to matters of religion.

The king, informed of these proceedings, importuned them again for a supply; and, finding that his message had no effect, he went to the house of peers, and entreated

their

their good offices with the commons. The peers were sensible of the king's necessities; and being, as was natural, more attached to the crown than the other house, they thought, that, on this occasion, supplies ought, in reason, to go before grievances. They, therefore, ventured to signify their sense of the matter to the commons.

But this intercession was resented with a becoming spirit. The commons had always enjoyed, as their peculiar province, the power of granting supplies; and, though the peers had gone no farther than offering their advice, they were so jealous of this invaluable right, that they instantly voted the interposition of the lords, to be a breach of privilege.

Charles, in order to bring the matter to a speedy issue, importuned the house with new messages; and, hearing that the affair of ship-money gave great offence, besides assuring them that he never meant to make that taxation a constant revenue, and that all the money, raised by it, had been regularly expended in repairing and maintaining the navy; he now went so far as to offer totally to abolish that imposition, by any law which the commons should please to frame for the purpose.

In return he asked, for the supply of his present necessities, a grant of twelve subsidies, amounting to about six hundred thousand pounds, payable in three years; and, at the same time, gave them to understand, that, considering the situation of his affairs, a delay would be equal to a refusal.

To all these remonstrances, the commons continued inexorable. They thought that no argument, more unfavourable, could possibly be urged for a supply, than an offer to abolish ship-money; a taxation the most illegal, and the most dangerous, which had ever, in any reign, been imposed on the nation: and they imagined, that, by bargaining for the remission of that duty, they would seem, in a manner, to acknowledge the authority by which it had been levied; or, at least, give encouragement for assuming new claims of a like nature, in hopes of resigning them on like advantageous terms: and, for these reasons, they resolved to pay no regard to the king's solicitations, but to continue the examination and redress of the public grievances.

The king began to be apprehensive of the consequences. He saw, that his friends in the house, though many, were out-numbered by his enemies, and that this parliament was guided by the same bold and uncomplying

ing principles, which had actuated the former.

Instead of hoping that a supply would be given him, to prosecute the war against the Scots, whom the majority of the house considered as their best friends and firmest allies ; he expected every day that they would present him an address for concluding a peace with those rebels. And if the house met again, a vote, he had heard, would certainly pass to abolish his revenue of ship-money ; and thereby renew all the difficulties which he had been at so much pains to overcome.

In such a delicate and critical situation, surrounded, on all sides, with the most imminent dangers, no wonder that the king was at a loss what course to pursue ; nor need we be surprised, that, being of a warm and passionate disposition, he hastily embraced a measure of which he had afterwards cause to repent. Provoked at the past proceedings of the commons, and dreading the consequences of their future resolutions, he instantly dissolved the parliament.

Such a step could not fail to excite a general spirit of discontent among the people, who usually repose the most entire confidence in their representatives, and expect from them the redress of all their grievances.

vances. And to encrease still further the ill humour of the nation, the king continued to exert those acts of arbitrary power, which, from former experience, he might have learned were so dangerous and unpopular. Bellasis and Sir John Hotham were cited before the council ; and refusing to give any account of their conduct in parliament, were thrown into prison. Crew, the chairman of the committee of religion, was ordered to deliver up all the complaints and petitions presented to that committee ; and on his refusal to produce them, he was sent to the Tower. The pockets of the earl of Warwick and lord Broke were searched, before the expiration of privilege, in hopes of finding some treasonable papers.

These acts of despotism were highly resented by the people, who justly considered them as the most flagrant invasions on the rights of national assemblies.

Though the parliament was dissolved, the convocation still continued to sit ; a practice of which, since the Reformation, there had hardly been an example, and which, on that account, was supposed to be inconsistent with the present constitution of the church.

Besides granting to the king a supply from the spirituality, and forming many canons,

Commons, the convocation, apprehensive of like innovations with those which had lately taken place in Scotland, exacted an oath from the clergy, and the graduates in the universities, by which every one bound himself to maintain the established government of the church by archbishops, bishops, deans, chapters, &c.

These steps, in the present discontented humour of the nation, were commonly considered as illegal; because not confirmed by consent of parliament, in whom all authority was supposed to be lodged. And nothing, besides, could be a greater subject of ridicule, than an oath, which contained an *et cetera* in the midst of it.

The people, who generally hated the convocation as much as they adored the parliament, could scarce be withheld from insulting and abusing that assembly; and the king was obliged to assign them a guard, in order to protect them. An assault too was made, during the night, upon Laud in his palace of Lambeth, by above five hundred persons; and he found it necessary to fortify his house and stand on his defence,

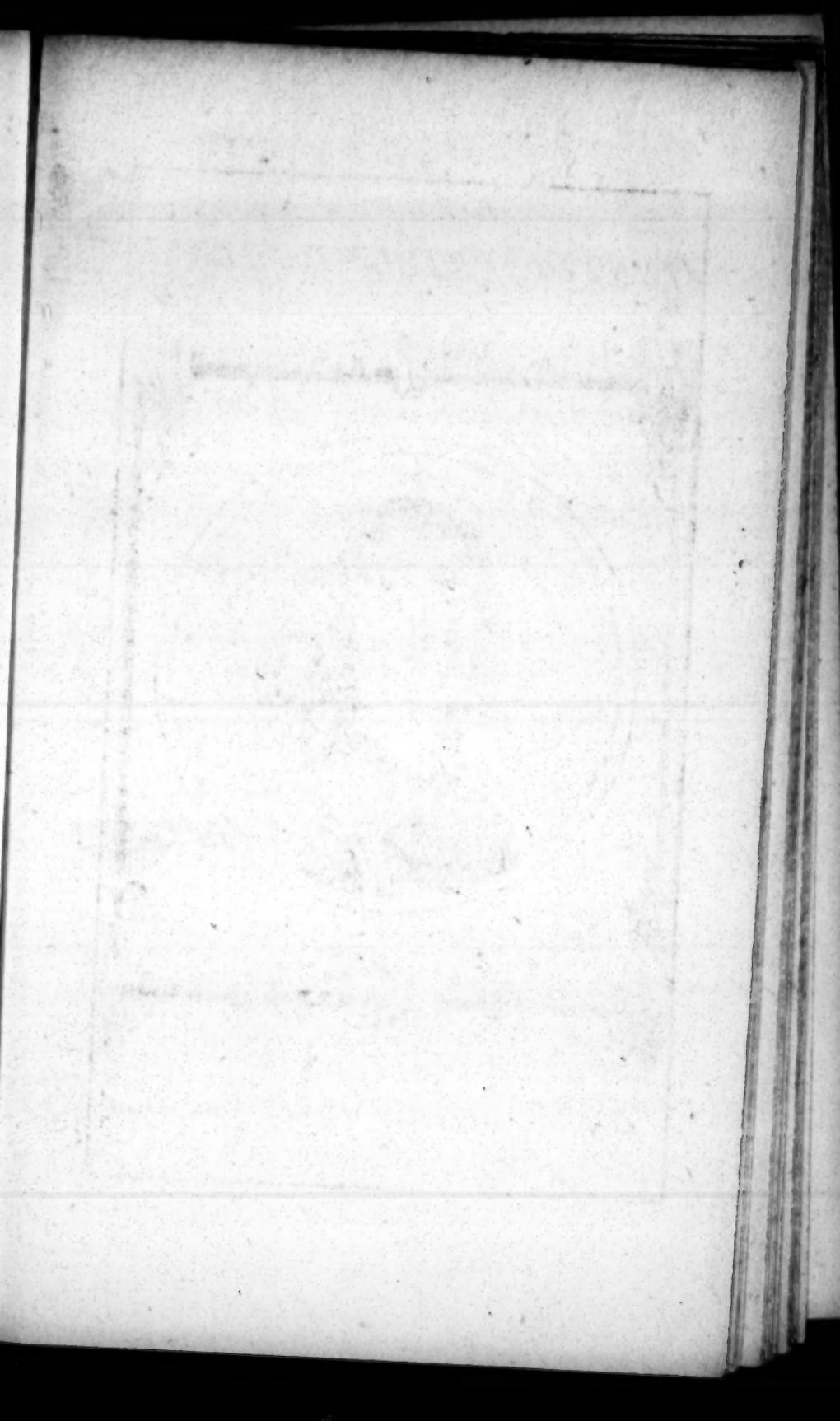
A multitude of two thousand sectaries forced their way into St. Paul's where the high commission was sitting; tore down the benches; and cried out, "No bishop, no high

"high commission." All these outrages were the sure prognostics of some impending revolution; had the court possessed sufficient sagacity to foresee their danger, or sufficient power to prevent it.

In vain did Charles endeavour to appease the discontents of the people by issuing a declaration, in which he explained his reasons for dissolving the last parliament. The chief topic on which he insisted was, that the commons, under colour of examining and redressing grievances, assumed a right of prying into every part of government; but his pretending to deprive them of this power, to which they had an undoubted title, was the very circumstance at which the people were offended.

The king, disappointed of parliamentary supplies, was obliged to have recourse to other expedients, in order to answer his urgent demands. The ecclesiastical subsidies amounted to a considerable sum; and it seemed but reasonable, that the clergy should contribute to the support of a war, which was, in a great measure, of their own raising. He solicited a loan from his courtiers and ministers; and so much interest did he possess among them, that above three hundred thousand pounds were subscribed in a few days.

He



PERCY OF NORTHUMBERLAND



S. Hartung

Engrav'd for Rider's History of England.

He attempted to obtain the same concession from the citizens ; but as they had little attachment, and no obligations, to the court, they absolutely refused to grant his request. He extorted a loan of forty thousand pounds from the Spanish merchants, who had bullion in the Tower, exposed to the attempts of the crown.

He levied, on the counties, coat and conduct-money for the soldiers ; an ancient practice, but which was certainly abolished by the Petition of Right. All the pepper was bought from the East-India company upon trust, and sold, at great discount, for ready money. A scheme was even proposed for coining two or three hundred thousand pounds of base money.

Such were the extremities to which Charles was reduced. The fresh difficulties which he had every day to encounter in levying the imposition of ship-money, obliged him to exercise continual acts of authority, which contributed still farther to inflame the resentment of the nation.

By these various methods, however, the king was at last enabled to assemble his army, amounting to nineteen thousand foot, and two thousand horse. The earl of Northumberland was appointed commander in chief; the earl of Strafford, who was called

over

over from Ireland, acted as lieutenant-general; and lord Conway was general of the horse. A very small fleet was deemed sufficient to answer the purposes of this expedition.

Such are the advantages of national concord and unanimity, that the Scottish army, though more numerous, was sooner ready than the king's; and had already advanced to the borders of England. To induce them to proceed, besides their knowledge of the secret discontents which prevailed in that kingdom, lord Saville had forged a letter, in the name of six noblemen, the most considerable in England, in which the Scots were entreated to assist their neighbours, in procuring a redress of their grievances.

Encouraged by these motives, the Scots continued their march; and, in a few days, arrived at Newburn, on the banks of the river Tyne, about four miles from Newcastle. The lord Conway, with a body of four thousand five hundred men, had intrenched himself on the other side, in order to defend the ford; but, notwithstanding this obstruction, the Scots determined to force a passage.

They raised some batteries, by which Conway's horse were put in confusion; and

and crossing the river, after a slight skirmish, routed him at the first onset. Conway retired, with precipitation, to Durham ; and, thinking himself unsafe in that place, returned to Northallerton, where he joined the main army.

The Scots immediately took possession of Newcastle ; and, though sufficiently elated with their victory, they observed the most exact discipline, and persisted in their resolution of paying for every thing, in order to maintain the appearance of an amicable correspondence with England. They likewise dispatched messengers to the king, who was arrived at York ; and, after making him the most ample professions of their loyalty, duty, and submission, they humbly entreated to be admitted to his presence, and to have an opportunity of laying their complaints before his majesty.

The king saw no other method of stopping their progress, than by complying with their proposal. He accordingly agreed to a treaty, and appointed sixteen English noblemen, to confer with eleven Scottish commissioners, at Rippon. The earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the lords Kimbolton, Wharton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of

Escrifc, were chosen by the king; all of them popular men, and consequently supposed to be nowise averse to the invasion of the Scots, nor disagreeable to that nation.

An address was presented by the city of London, petitioning for a parliament; the great object to which all men's wishes were at this time directed. Twelve noblemen made the like application. But the king contented himself with convoking a great council of the peers at York; a measure which had formerly been practiced, but which, at present, could answer no other purpose than to discover his aversion to the use of parliaments.

Northumberland falling sick, the command of the army was entrusted to the earl of Strafford. That nobleman possessed more vigour and resolution than the king or any of the council. He advised Charles rather to run all hazards, than to agree to such severe terms, as were likely to be imposed upon him. The defeat at Newburn, he said, was a matter of little consequence; and though the army had, for the time, been seized with a pannic, that was nothing strange, among raw and undisciplined troops; and the Scots, being in the same condition, would,

would, no doubt, in their turn, be subject to the like misfortune.

His opinion, therefore, was, that the king should advance, and attack the enemy, and bring the affair to a speedy issue ; and even, if he failed in the attempt, his situation could not be worse than that to which his inactivity would certainly reduce him.

To demonstrate the facility of such a project, he caused an assault to be made on some quarters of the Scots, and he gained an advantage over them. No suspension of arms, it is true, had, as yet, been concluded ; but, as hostilities had commonly been supposed to cease from the commencement of the treaty, the Scots complained, with great vehemence, and perhaps, with no less justice, of this sudden and unexpected attack.

It may not be improper to observe, that several mutinies had broke out among the English troops, when marching to join the army ; and some officers had been murdered by the soldiers, on account of their attachment to Popery. The Petition of Right had abolished all martial law ; and by an inconvenience, which naturally accompanied the plan, as yet new and imperfect, of regular and rigid liberty, it was found impossible for the generals to preserve

an exact discipline among the troops, by all the authority, which the king could legally bestow upon them.

The lawyers had given it as their opinion, that martial law could not be exercised, except in the very presence of an enemy ; and because it had been found necessary to execute a mutineer, the generals were obliged, for their own safety, to procure a pardon from the crown.

This weakness, however, was carefully concealed from the army ; and lord Conway said, that, if any lawyer should be so imprudent as to reveal the secret to the soldiers, it would be necessary to refute him, by instantly hanging him up, by sentence of a court-martial, as a warning to his brethren.

An army, new raised, undisciplined, intimidated, mutinous, ill paid, and restrained by no proper authority, was very unequal to the task of opposing a victorious and high spirited enemy, and holding in subjection a discontented and disaffected nation.

Charles, unable to resist the torrent, was, at last, obliged to give way to it ; and as he knew, that the great council of the peers would recommend to him the calling of a parliament, he informed them, in his first

first speech, that he had already embraced that resolution.

In order to maintain both armies (for the king, the better to preserve the northern counties from plunder, was under a necessity of paying his enemies) Charles wrote to the city, requiring the loan of two hundred thousand pounds; and the peers at York, whose authority was now much greater than that of their sovereign, agreed to be sureties for their payment of the money.

As the negociation at Rippon was found to languish in the hands of commissioners, it was judged most proper to transfer it to London: an expedient readily embraced by the Scots, who hoped to treat with greater advantage in a place, were they knew, they had more friends than the king himself,

The parliament was summoned to meet on the third day of November; and notwithstanding the vigorous efforts of the courtiers and ministers, the elections ran almost entirely in favour of the country-party.

It is a compliment which the commons have always been accustomed to pay the king to regard his inclination in the choice of a speaker; and Charles had proposed to bestow that important charge on Gardiner recorder of London: but so little interest did the crown, at that time, possess in the

nation, that Gardiner failed of his election, not only in London, but in every other place where it was attempted, and the king was obliged to make the choice of speaker fall on Lenthal, a lawyer of some note, but not endued with sufficient abilities for such an arduous and difficult office.

The eyes of the whole nation were fixed on the proceedings of a parliament, summoned at so critical a juncture, and during such general discontents; a parliament, which, from the situation of public affairs, could not be suddenly dissolved, and which was to complete every thing left unfinished by former parliaments.

No wonder, that, in these circumstances, every member gave his attendance; and indeed the house was never observed to be, from the beginning of the monarchy, so numerous and frequent. Without any interval, therefore, they proceeded to business, and, by unanimous consent, they immediately struck a stroke, which filled the king, the ministers, and all the courtiers with fear and consternation.

The earl of Strafford was considered as the first minister of state, both on account of the great interest which he had with his master, and of his own uncommon and distinguished abilities. By a concurrence of untoward circumstances, this man had

had exposed himself to the hatred of all the three nations, which composed the British empire.

The Scots, whose authority was now very great, regarded him as the capital enemy of their country, and one, whose councils and influence they had most reason to dread. He had persuaded the parliament of Ireland to furnish large supplies, in order to prosecute a war against them : he had raised an army of nine thousand men, with which he threatened to invade their western coast : he had compelled the Scots, who lived under his government, to renounce the Covenant, which they so much adored : he had in Ireland denounced the Scottish Covenanters rebels and traitors, even before the king had taken any such step against them in England : and he had ever given his opinion against the late treaty and suspension of arms, which he considered as dangerous and dishonourable.

So highly were the Scots incensed at all these measures, that they had absolutely refused to send commissioners to treat at York, as was first proposed ; because, they said, the lieutenant of Ireland, their capital enemy, being general of the king's forces, was there possessed of the chief command and authority.

Strafford,

Strafford, first as deputy, then as lord-lieutenant, had managed the affairs of Ireland for the space of eight years. His government had been extremely vigilant and active, but very far from being popular. His authority and influence, however, during the time of his prosperity, had kept his enemies in awe; but no sooner was he seized with adversity, than the concealed aversion of the Irish blazed out at once, and the parliament of that kingdom employed every expedient in order to aggravate the charge against him.

All the grievances which the English had suffered for a number of years, were universally ascribed to pernicious counsels of Strafford; because he was known to be the minister, whom the king most favoured and consulted.

Though descended from an ancient family, and born to a considerable estate, his sudden and great elevation was not exempted from envy. And his former associates in popular measures, finding that he owed his advancement to the desertion of their cause, pursued him with the most implacable hatred, and resolved to exert their utmost efforts in order to effect his ruin.

Strafford.

Strafford, conscious of his own unpopularity, and of the extreme danger to which he was exposed, would willingly have declined his attendance in parliament; and he entreated the king's permission to return to his government of Ireland, or, at least, to remain at the head of the army in Yorkshire, where, he imagined he should be better able, by reason of his distance, to elude the attacks, or escape from the fury, of his enemies.

But Charles, who had justly a very high opinion of the earl's abilities, believed, that his councils would be extremely useful to him, during the critical session, which was now approaching. And when Strafford still represented the danger of putting himself in the power of his enemies, the king, little thinking, that his own authority was so suddenly to expire, assured him of his protection, and solemnly engaged, that not a hair of his head should be touched by the parliament.

The commons were no sooner informed of Strafford's arrival, than they immediately resolved to make an attack upon that minister. Pym, in a long, elaborate discourse, enumerated all the grievances under which the nation groaned; and from a complication of such oppressions, concluded

cluded, that a regular plan had been concerted for altering entirely the form of government, and destroying the ancient laws and liberties of the kingdom.

" Could any thing," said he, " encrease our indignation against so odious and detestable a project, it would be to find, that, during the reign of the best of princes, the constitution has been endangered by the worst of ministers, and that the virtues of the king have been perverted by wicked and pernicious counsils. We must enquire," continued he, from what fountain these waters of bitterness flow ; and though doubtless many evil counsellors will be found to partake in the guilt, yet is there one, who justly claims the infamous pre-eminence, and who, by his courage, vigour, and capacity, is intitled to the first place among these betrayers of their country. He is the earl of Strafford, lieutenant of Ireland, and president of the council of York, who, in both these places, and in all other provinces, where he has been invested with authority, has left behind him indelible marks of his tyranny and oppression ; and will appear, from a review of his conduct, to be the chief author and encourager of every illegal and arbitrary measure.

" measure. It is therefore," subjoined he,
" the duty of this house, to provide a re-
" medy suited to the disease, and to pre-
" vent, if possible, the farther mischiefs,
" justly to be dreaded from the influence
" of a man, who has acquired the most un-
" bounded ascendant over the measures and
" councils of his sovereign."

The same topics were strongly enforced by Sir John Clotworthy, an Irish gentleman, Sir John Hotham of Yorkshire, and other members : and after several hours, employed in bitter invective, when the doors were locked, to prevent discovery, it was at last moved, that Strafford should be immediately accused of high-treason. This motion was universally approved ; nor was there, in the whole debate, one person who offered to speak a single word in favour of the earl.

Lord Falkland alone, though his declared enemy, modestly desired the house to reflect, whether it would not be more becoming the gravity of their proceedings, first to examine and methodize many of the particulars which had been mentioned, before they preferred an accusation against him.

Pym ingenuously replied, that such a delay might probably ruin their whole project, and deprive them of the power of finishing the prosecution : that when Strafford should be

be apprized of the impending danger, he would doubtless endeavour to elude the blow, either by procuring the dissolution of the parliament, or by attempting some other measure no less violent : that the commons were only accusers not judges ; and it was the business of the peers to determine, whether such a complication of atrocious crimes, in one person, was not equivalent to the highest crime known by the law.

The accusation was accordingly voted : Pym was appointed to carry up the impeachment : many of the members attended him on so agreeable an errand ; and Strafford, who had just taken his seat in the house of peers, and who little apprehended so sudden an attack, was immediately, upon this general charge, committed to custody, not without some evident symptoms of strong prejudice, as well in his judges as in his accusers.

The next victim of popular resentment, and, perhaps too, of popular justice, was Laud, archbishop of Canterbury, who, by his violent and arbitrary proceedings in ecclesiastical matters, had exposed himself to the hatred of the greatest part of the nation. After a debate, which lasted not above half an hour, an impeachment for high-treason was voted against this prelate, the first, both
in

in rank and in favour throughout the kingdom.

Though Laud, considering the fate of Strafford, and the present disposition of the parliament, had no reason to be surprised at this incident; yet was he betrayed into some passionate expressions, when the impeachment was presented. "The commons, themselves," said he, "tho' my accusers, do not believe me guilty of the crimes, which they lay to my charge:" an indiscretion, which, next day, upon more mature deliberation, he begged leave to retract; but so little was he beloved, even by the peers, that they would not indulge him with this small favour. Upon this general charge, Laud was sequestered from parliament, and ordered into custody.

The chief crime, of which these two ministers were accused, was the design, which the commons believed, and not without reason, to have been formed, for overturning the laws and liberties of England, and establishing an arbitrary and despotic government in the kingdom.

Of all the king's servants, no one was so obnoxious, in this respect, as the lord-keeper, Finch. He it was, who, being speaker in the third parliament of this reign,

had quitted the chair, and refused to put the question, though ordered by the house, because he had received a contrary injunction from his majesty. It was chiefly owing to his intrigues, that the judges had given the extrajudicial opinion in the case of ship-money. In all violent and illegal measures he had ever a considerable share; and he was even said to have declared publickly, that, while he was keeper, he would always regard an order of council as of the same force with a law.

In order to appease the indignation of the commons, he begged leave to be heard at their bar. He fell on his knees before them, and implored their pardon with the utmost humility; but this submission stood him in no stead. An accusation against him was immediately voted; and, in order to avoid the impending danger, he thought proper secretly to withdraw, and to take refuge in Holland. His impeachment, however, in his absence, was carried up to the House of Peers.

Sir Francis Windebank, the secretary, was a creature of Laud's; and, on that, as well as on other accounts, was extremely obnoxious to the commons. He was strongly suspected of an attachment to Popery; and it was notorious, that he had granted many

many indulgencies to Catholics, and signed warrants for the pardon of priests, and their releasement from prison. Conscious of his own unpopularity, and dreading the resentment of the commons, he judged it safest to retire from the kingdom, and to make his escape into France.

What rendered the power of the commons the more formidable, was the singular prudence with which it was conducted. Not satisfied with the authority which they had obtained by attacking these great ministers; they were determined to overawe the most considerable bodies of the nation. Though extremely beloved by the people, they likewise resolved to arm themselves with terrors, and to intimidate all those who might be inclined to oppose their proceedings.

During the late military operations, several powers had been exercised by the lieutenants and deputy-lieutenants of the counties: and these powers, though necessary for the defence of the kingdom, and even supported by former precedents, yet being contrary to express statutes, were now declared to be illegal; and the persons who had exerted them, declared delinquents. This term was of uncertain signification, and expressed a degree or species of guilt, not exactly known nor defined.

In consequence of that decree, many of the principal nobility and gentry, while only exercising, as they conceived, the legal powers of government, found themselves unexpectedly involved in the crime of delinquency. And the commons derived this multiplied advantage from their vote : they greatly reduced the power of the crown ; they established the maxims of rigid law and liberty ; and they made the whole nation tremble at the terror of their authority.

Of the same crime of delinquency were likewise declared guilty all the sheriffs, who had been employed in levying the imposition of ship-money ; all the farmers and officers of the customs, who had been concerned in collecting the duties of tonnage and poundage ; all the ministers, who had had any hand in the sentences passed in the Star-chamber ; all the judges, who had given their votes against Hampden in the trial of ship-money ; and all the prelates and ecclesiastics, who had sat in the late convocation, after the dissolution of parliament.

In order to show their utter detestation of monopolies, so prejudicial to the trade and commerce of the kingdom, the commons expelled all their members, who had any share in these destructive patents ; a measure, by

by which, while they strengthened their own power, they extremely weakened the very small party, which the king still retained in the house.

The severe sentence which had been passed against Prynne, Baftwic and Burton, was now revised by parliament. These libellers, far from being intimidated by the rigorous punishments, which they had suffered, discovered still an inclination to repeat their offence; and the ministers were afraid, lest new satires should issue from their prisons, and encrease still farther the discontents of the nation.

By an order, therefore, of the council, they had been conveyed to distant prisons; Baftwic to Scilly, Prynne to Jersey, Burton to Guernsey; where they were cut off from all communication with their friends, and debarred the use of pen, ink and paper. The sentence for these additional punishments was now reversed by the commons; even the first sentence, upon examination, was pronounced illegal; and the judges, who passed it, were commanded to make reparation to the sufferers.

When the prisoners arrived in England, they were received with the highest demonstrations of joy, were accompanied with a mighty concourse of people, their charges

were defrayed with great liberality, and they were loaded with magnificent presents. On their approach to any town, all the inhabitants flocked out to meet them, and welcomed their reception with shouts and acclamations. Their train still encreased, as they advanced to London.

Several miles from the city, they were joined by crowds of their friends and admirers, who attended their triumphant entrance : boughs were carried in this tumultuous procession ; the roads were strewed with flowers : and, amidst the highest exultations of joy, the most bitter invectives were thrown out against the prelates, who had been the authors of their cruel prosecution.

These men, it must be owned, though worthy of punishment, had been treated with a severity greatly exceeding their demerits ; yet, as they had attacked the church and government with the most indecent scurrility, the triumph over the royal authority was now the more apparent ; and the spirit of mutiny and disaffection, which appeared among the people, was the more dangerous and alarming.

Lilburne, Leighton, and every one, who had been punished for their invectives against

against the preceeding administration, were now restored to liberty, and were decreed damages on the judges and ministers of justice.

Mean while, petitions arrived from all parts of the nation, representing the many hardships and oppressions, under which the people laboured, and soliciting a redress of these grievances. In order to conduct this work with the greater regularity, the house was divided into above forty committees, charged, each of them, with the examination of some particular violation of law and liberty, of which the people complained. The general committees of religion, trade, privileges, laws, were subdivided into many inferior committees, who carried on the most strict and impartial scrutiny.

From the reports of these committees, the house daily passed votes which astonished and confounded the court, and animated and encouraged the nation. Ship-money was pronounced illegal and arbitrary; the sentence against Hampden reversed; the court of York abolished; compositions of knighthood condemned; the enlargement of the forests censured; patents for monopolies annulled; and every despotic measure of the court, treated with that

that obloquy and reproach which it deserved.

From want of power, rather than inclination to resist, the king was obliged to remain a passive spectator of all these violent proceedings. " You have taken the whole machine of government in pieces," said Charles, in a speech to the parliament; " a practice not uncommon with skilful artists, when they want to clear the wheels from any rust which they may have contracted. The engine," continued he, " may again be restored to its former use and motions, provided it be put up entire; so as not a pin of it be lost."

But the commons were of a very different opinion. The machine, they thought, and with good reason, was incumbred with many wheels and springs, which retarded its operation and destroyed its utility; and these, they were now fully determined to remove. Happy! had they confined themselves to that improvement alone; and had not proceeded, as they unfortunately did, to disjoint and unhinge the whole frame of government.

In order to support that high authority which they had obtained, the commons, besides overawing and intimidating their enemies, thought it necessary to animate and

and encourage their friends ; particularly the Scots and the religious Puritans, to whose assistance and good offices they had already been so much indebted.

No sooner were the Scots in possession of the northern counties, than they entirely forgot their first promise, which indeed they were not able to perform, of paying for every thing ; and, in order to prevent the destructive expedient of plunder and free quarters, the country agreed to supply them with a regular contribution of eight hundred and fifty pounds a day, in full of their subsistence.

The parliament, that they might ease the northern counties of so heavy and intolerable a burden, resolved to remit money to the Scottish, as well as to the English army ; and, because subsidies could not be levied with sufficient dispatch to answer the present occasion, money was borrowed from the citizens, upon the security of particular members.

Two subsidies were, in the mean time, voted ; and as the intention of this supply was to reimburse those members, who by their private, had supported public credit, the money was ordered to be paid, not into the Treasury, but into the hands of commissioners appointed by

by parliament : a practice, which, as it diminished the authority of the crown, was very willingly adopted, and was afterwards observed by the commons, with regard to every branch of revenue which they granted to the king.

The Puritanical party in England, encouraged by the near neighbourhood of the Scots, and by the present disorders, which prevailed in the kingdom, began openly to profess their tenets, and to attack the established church with the utmost fury and violence.

The interest of that sect in parliament discovered itself from the beginning, by insensible, but strong symptoms. Marshall and Burges, two Puritanical clergymen, were appointed to preach before the commons, and regaled them with discourses seven hours in length. It being the custom of the house always to take the sacrament before they entered upon business, they ordered, as an essential prerequisite, that the communion-table should be removed from the East end of St. Margaret's into the middle of the church.

The name of the spiritual lords was commonly omitted in the acts of parliament; and the laws ran in the name of the king, lords, and commons. The clerk of the upper

per house, in reading the bills, turned his back on the bench of bishops ; nor was any notice taken of his insolence. On a day appointed for a fast and humiliation, all the orders of temporal peers, contrary to ancient practice, in going to church, took precedence of the spiritual : and from all these symptoms the prelates might have perceived the great odium which they had drawn on themselves, and the extreme danger which threatened the hierarchy.

Every meeting of the commons produced some vehement harangue against the tyranny of the bishops, against the illegality of the high-commission, against the proceedings of the late convocation, against the absurdity of Laud's superstitions. So incensed were all lovers of civil liberty at the arbitrary maxims inculcated by the clergy, that these invectives were received with the greatest approbation ; and no difference, at first, appeared between such as desired only to circumscribe the power of the prelates, and such as proposed entirely to abolish Episcopal jurisdiction.

Encouraged by these favourable circumstances, most of the country towns of England sent up petitions against the church. An address against Episcopacy was presented by twelve clergymen to the Committee

mittee of Religion, and said to be subscribed by many hundreds of the Puritanical persuasion. But what made the greatest noise was the petition of the city of London for a total alteration of church government; a petition signed by no less than fifteen thousand persons, and which was presented by alderman Pennington, the city-member.

Notwithstanding the favourable disposition of the people, the commons determined to proceed with the utmost caution and circumspection. They brought in a bill for debarring all clergymen from the exercise of any civil office. As a necessary consequence, the bishops were to be deprived of their seats in the House of Peers; a measure not disagreeable to the true friends of liberty, who perceived, with regret, the blind and implicit obedience of that order to the will of the monarch.

But when the bill was presented to the peers, it was thrown out by a great majority: the first check which the commons had met with in their popular career, and a prognostic of what they might afterwards expect from the upper house, whose interest would never be entirely detached from that of the sovereign. But to shew how little they were discouraged by this

this repulse, the Puritans immediately introduced a bill for the total abolition of Episcopacy; though they thought proper to let that bill lie dormant a little, in hopes of finding a more favourable opportunity of bringing it to effect.

From ecclesiastical affairs the commons now proceeded to the consideration of such as were civil. The dispute with regard to tonnage and poundage was revived, and with certain assurance of success. The levying these duties, as formerly, without consent of parliament, and even increasing them at pleasure, was such an absurdity in a free government, where the people, by their original privileges, cannot be taxed but by their own consent, as could no longer be endured by these vigilant patrons of liberty.

In the preamble, therefore, to the bill, by which these duties were granted to the king, the commons asserted, in the most clear and express terms, their own right to bestow this gift, and to deprive the crown of all independent title of assuming it. And, in order to put the matter beyond all controversy, they voted these duties only for two months; and reserved to themselves the power of renewing their grant, as they should think convenient. Charles, finding

it in vain to resist, at last passed this important bill, which deprived him of such a large and considerable branch of his revenue.

The commons, encouraged by their success, proceeded to frame a bill for triennial parliaments. By an old statute, passed in the reign of Edward the third, it had been enacted, that parliaments should be assembled once every year, or more frequently, if necessary : but as no remedy had been provided in case of failure, and no method ascertained for putting the statute in execution ; this law had been considered merely as a general declaration, and was dispensed with at pleasure.

The defect was supplied by those prudent patriots who now directed the affairs of the nation. It was decreed, that, if the chancellor, who was first bound under severe penalties, neglected to issue writs by the third of September, in every third year, any twelve or more of the peers, should be empowered to perform this office : in default of the peers, the sheriffs, mayors, bailiffs, &c. should convene the voters : and, in their default, the voters themselves should assemble, and proceed to the election of members, in the same manner as if the writs had been regularly issued by
the

the sovereign. Nor could the parliament, after it had met, be adjourned, prorogued, or dissolved, without their own consent, during the space of fifty days.

This bill divested the crown of some of its most ancient, but, at the same time, its most dangerous prerogatives; and contributed greatly to secure and establish the liberties of the subject.

Charles, at first, made some difficulty with regard to this bill, which tended so much to limit his authority; but, finding that nothing less would satisfy his parliament, he at last was persuaded to give his assent. Solemn thanks were presented him by both houses: and the whole nation resounded with shouts of joy and exultation.

The king indeed appeared, in some manner, to have altered his plan of conduct. He had, in the former part of his reign, endeavoured to subdue the bold and free spirit of the commons, by a steady perseverance in his own measures, by a stately dignity of behaviour, and by supporting, at their utmost height, and even extending beyond their just limits, the prerogatives of the crown.

Convinced, by experience, of the bad effects of these measures, and conscious of

the low condition to which he was reduced, he now seemed determined to adopt other maxims, and to make the voice of his people, the rule of his conduct.

A change of ministers, as well as of measures, was therefore thought necessary. In one day, several new privy-counsellors were sworn; the earls of Hertford, Bedford, Essex, and Bristol; the lords Say, Saville, and Kimbolton: and, in a few days after, the earl of Warwick was admitted.

All these noblemen were of the country-party; and some of them afterwards, when matters came to the last extremity, lost both their lives and fortunes in defence of their sovereign.

Juxon, bishop of London, who had never desired the office of treasurer, now begged leave to resign it, and to betake himself to the care of his diocese. The king complied with his request; and intended to bestow that important trust on Bedford, a man of great popularity, as well as prudence and moderation; but this promotion was prevented by the death of Bedford, which happened about this very time.

By some alterations, place was made for St. John, who was created solicitor-general. Hollis was to be appointed secretary of state,

State, in place of Windebank, who had fled : Pym, chancellor of the Exchequer, in place of lord Cottington, who had resigned : lord Say, master of the wards, in place of the same nobleman : the earl of Essex, governor ; and Hampden, tutor to the prince.

What retarded the execution of these projected changes, was the difficulty, or rather impossibility, of gratifying all those, who, from their influence and authority in parliament, might naturally aspire to offices, and who had it still in their power to oppose and traverse the measures of the court.

These very persons too, whom the king proposed to advance to places, were unwilling to incur the reproach of having concluded a separate bargain, and of sacrificing the good of the public to their own selfish and interested views. And, as they were sensible that they must owe their preferment entirely to their weight and consideration in parliament, they were, most of them, determined still to adhere to that assembly, and both to support its authority and to retain their own credit in it.

On all occasions, therefore, they had no other advice to give his majesty, than to suffer himself to be guided by his parlia-

ment; and as this was a conduct which the king, notwithstanding his low condition, could not yet be fully persuaded to pursue, and the popular leaders refused to accept his offers on any other terms, the intended promotions never took effect.

The end which Charles, by his late compliances, was most solicitous to obtain, was to save the life of the earl of Strafford, and to mitigate, if possible, the fury of his most inveterate enemies. But so high an opinion was generally entertained of Strafford's experience and capacity, that all the new counsellors, and intended ministers, plainly perceived, that, if he escaped their vengeance, he would soon recover his former credit; and they considered his death as absolutely necessary, as well for the security of their present, as for the success of their future projects. His accusation was, therefore, prosecuted with the utmost vigour; and, after long and solemn preparations, was at last brought to a final issue.

Strafford was no sooner sequestered from parliament, and committed to the Tower, than a committee of thirteen was appointed by the lower house, and entrusted with the charge of drawing up an impeachment against him. These, joined to a small committee of lords, were empowered to examine

amine all witnesses, to call for all papers, and to employ any means of investigation, with regard to any part of the earl's behaviour.

At the same time, by the direction of both houses, they took an oath of secrecy ; a practice very uncommon, and which gave occasion to strong suspicions of unfair dealing. But the design of this strictness was to render it more difficult for the earl to elude their scrutiny, or prepare for his defence.

Application was made to the king, that he would permit this committee to question privy-councillors with regard to opinions delivered at the board : a concession, which the king imprudently granted, and which thenceforth banished all mutual confidence from the deliberations of council.

Sir George Ratcliffe, the earl's intimate friend was accused of high-treason, brought over from Ireland, and thrown into prison, merely with a view of depriving Strafford of the assistance of a man, who was best qualified to vindicate his conduct.

The Irish house of commons sent over a committee, to assist in the prosecution of this unfortunate nobleman who had been their governour ; and, in a word, the three king-

kingdoms seemed bent upon his destruction.

Westminster-Hall was formed into a large court of judicature, for this important trial.* The earl of Arundel acted as high steward on the occasion : the peers sat in their robes as judges : the commons as accusers ; but the bishops withdrew, according to custom, because forbid by the ancient canons to assist at any trial for life. At the upper end was a chair and cloth of state for the king ; and on each side a close gallery, in which his majesty and the queen sat in private.

Whitlocke was appointed chairman of the committee, which prosecuted the charge. The trial began on the twenty-second day of March. The articles of impeachment were twenty-eight in number, and accused the earl of having exercised illegal and oppressive powers, in many instances, both as president of the north, and as lord lieutenant of Ireland ; of having been the cause of the war with the Scots, against whom he had unjustly incensed his majesty ; of having raised an army of Irish papists to enslave the kingdom ; and of having advised the king to subvert the laws and liberties of the nation, and to establish an arbitrary and despotic government.

The

* A. D. 1641.

The accusation was enforced with all the subtlety of logic, and all the energy of eloquence. Strafford behaved with great dignity, courage, and composure. His defence was noble, spirited, and manly. He acquitted himself of every imputation, except a few passionate, or at most imperious expressions, which, during a bad state of health, and amidst the desperate extremities to which his master was then reduced, had unhappily fallen from him.

But if his apology was so satisfactory, when he pleaded to each particular article of the charge, his victory was still more indisputable, when he summed up the whole, and repelled the imputation of treason; the crime which the commons meant to infer from the full view of his conduct and behaviour.

Of all kinds of guilt, the law of England had, with the utmost accuracy and precision, ascertained that of treason; because on that side it was found necessary to secure the life of the subject against the violence of the king and his ministers.

By the famous statute of Edward the third, all the species of treason are expressly described, and every other crime, besides such as are there named, is carefully excluded from that denomination.

But

But with regard to this guilt, an attempt to subvert the fundamental laws, the statute is wholly silent; and though such an attempt must be allowed to be highly criminal, yet as the law has not thought proper to declare it treason, no man can be justly condemned for such an attempt, even though fully proved; much less where the evidence is so weak and inconclusive.

As this species of treason, introduced by the commons, is entirely new and unknown to the laws; so is the species of proof by which they endeavour to convict the prisoner of that crime.

They have employed a kind of accumulative or constructive evidence, by which many actions, either perfectly indifferent in themselves, or criminal in a much less degree, shall, when joined, constitute the crime of treason, and subject the person to the highest penalties denounced by the law.

“ Where has this species of treason lain
“ so long concealed ? ” said Strafford in
conclusion : “ where has this fire been so
“ long buried, during so many centuries,
“ that no smoke should appear, till it burst
“ out at once, to consume me and my chil-
“ dren ? Better it were to live under no
“ law

“ Law at all, and, by the maxims of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master ; than to fancy we have a law on which we can depend, and find, at last, that this law shall inflict a punishment antecedent to the promulgation, and try us by maxims, which were never known till the very moment of the prosecution.

“ If I sail on the Thames, and split my vessel on an anchor ; in case there be no buoy to give warning, the party shall pay me damages : but if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime ? where is the token by which I should discover it ? it has been concealed under water ; and no human prudence, no human innocence could save me from the destruction, with which I am now threatened. If there must be a trial of wits, my lords, I humbly beseech your lordships to consider, that the subject ought to be of something else than of your lives and honours.

“ It is now full two hundred and forty years since treasons were defined ; and so long has it been, since any man was touched to this extent, upon this crime, before myself. We have lived, my lords,

“ hap-

" happily to ourselves at home ; we have
" lived gloriously abroad to the world : let
" us be content with what our fathers have
" left us : let not our ambition prompt us
" to be more learned than they were, in
" these killing and destructive arts.

" Great wisdom will it be in your lord-
" ships, and just providence for yourselves,
" for your posterity, for the whole kingdom,
" to cast from you, into the fire, these
" bloody and mysterious volumes of arbit-
" rary and constructive treasons, as the
" primitive chieftains did their books of
" curious arts, and betake yourselves to the
" plain letter of the law, which tells you
" where the crime is, and shows you the
" method by which you may avoid it.

" Let us not, to our own destruction, a-
" rouse those sleeping lions, by rattling up
" a company of old records, which have
" lain, for so many ages, by the wall, for-
" gotten and neglected. To all my afflic-
" tions, add not this, my lords, the most
" severe of any ; that I, for my other sins,
" not for my treasons, be the means of in-
" troducing into the kingdom, a precedent,
" so fatal to the lives and liberties of the
" subject.

" For, notwithstanding what these gen-
" tlemen at the bar alledge, that they speak
" for the commonwealth ; and, I believe,
" they

" they think so; yet I must take the liberty
" of saying, that it is I who, in this parti-
" cular, speak for the commonwealth. Pre-
" cedents, like those endeavoured to be
" established against me, must be productive
" of such miseries and calamities, that, in
" a few years, the kingdom will be in the
" condition, expressed in a statute of Henry
" the Fourth; and no man shall know by
" what rule to govern his words and actions.

" Impose not, my lords, insuperable dif-
" ficulties upon ministers of state, nor ren-
" der them incapable of serving, with
" chearfulness, their king and country.
" If you examine their conduct, and under
" such severe penalties, by every grain,
" by every little weight; the scrutiny will
" be intolerable. The public affairs of
" the kingdom must be neglected; and
" no wise man, who has any honour or
" fortune to lose, will ever dare to engage
" in such dreadful, such unknown dan-
" gers.

" My lords, I have now troubled your
" lordships a great deal longer than I
" should have done. Were it not for the
" sake of these pledges, which a saint in
" heaven left me, I should be loth," —
here he pointed to his children, and his
weeping stopped him. — " What I for-

“feit for myself, is nothing: but I confess, that my indiscretion should extend to them, it wounds me very deeply. You will be pleased to pardon my infirmity: something I should have said; but I see I shall not be able, and therefore I shall leave it.

“And now, my lords, I thank God, I have been, by his blessing, sufficiently instructed in the extreme vanity of all earthly enjoyments, compared with our eternal happiness. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit myself to your judgment: and whether that righteous sentence shall be to life or death, I shall repose myself, full of gratitude and confidence, in the arms of my great Creator.”

“Never, certainly, did any man act such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity.” Such is the reflection made by the chairman of the committee, which conducted

ducted the impeachment against this unfortunate statesman.

The accusation and defence continued for eighteen days. The managers divided the several articles among them, and attacked the prisoner with all the strength of reasoning, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford, in his replies, was obliged to observe a seeming respect to his most implacable enemies, the house of commons, the Scottish nation, and the Irish parliament.

He took only a short time to answer each article: yet he alone, unassisted by council, unprotected by power, discountenanced by authority, mixing modesty and humility with firmness and vigour, made such a noble and satisfactory defence, that the commons saw it impossible, by a legal prosecution, ever to attain their purpose against him.

But the death of Strafford was considered as a matter of too great importance to be left unaccomplished. Besides the influence and abilities of that minister, he had threatened some of the popular leaders with an impeachment; and, had he not been suddenly prevented by the accusation of the commons, he had, that very day, it was supposed,

M 2 charged

charged Pym, Hampden, and others with treason, for having persuaded the Scots to invade England. A bill of attainder was therefore introduced into the Lower House immediately after the conclusion of these pleadings ; and that it might pass with the greater ease, a new proof of the earl's guilt was produced.

Sir Henry Vane, secretary, had taken down some notes of a debate in council, after the dissolution of the last parliament ; and being from home, he had transmitted the keys of his cabinet, as was alledged, to his son Sir Henry, to search for some papers, which were requisite for finishing a marriage-contract. Young Vane, finding this paper of notes, conceived the matter to be of the utmost consequence ; and immediately imparted it to Pym, who now produced the paper before the House of Commons.

The question before the council was ;
“ Offensive or defensive war with the Scots.”
The king started this difficulty ; “ but how
“ can I engage in an offensive war if I have
“ no money ? ” Strafford is said to have given
the following answer : “ Borrow of the
“ city a hundred thousand pounds ; go on
“ resolutely to levy ship-money. Your ma-
“ jesty having tried the affections of your
“ people,

" people, you are absolved and freed from
" all rules of government, and may do
" whatever your power will admit. Your
" majesty, having tried all legal means,
" shall be acquitted before God and man.
" And you have an army in Ireland, which
" you may employ to reduce this king-
" dom to obedience : for, I am persuaded,
" the Scots cannot hold out five months."

This paper, considering the manner in which it was discovered, was supposed to be equivalent to two witnesses, and to be an unanswerable proof of those pernicious councils, which Strafford had presumed to give to his majesty, and which tended to a total subversion of the laws and constitution.

But it was objected by Strafford and his friends, that old Vane was his most implacable and avowed enemy ; and if the secretary himself, as was most likely, had given to his son this paper of notes, to be imparted to Pym, this discovered such a breach of oaths and trust, as rendered him altogether unworthy of any credit. That the secretary's deposition was at first extremely inconsistent : upon two examinations, he could remember no such words ; even the third time, his testimony was not positive ; but implied only, that Strafford uttered such or such-like words : and words may be very

like in sound, and different in their meaning ; nor ought the lives of men to be exposed to danger upon grammatical criticisms of any expressions, much less, of those delivered by the speaker in the warmth of debate, and committed, by the hearer, for any time, to the uncertain record of memory. That, in the present case, by changing *this kingdom* into *that kingdom*, (a very slight alteration) the earl's discourse could relate to nothing but Scotland, and contains no advice unworthy of an English counsellor. That even preserving the expression *this kingdom*, the words may properly be applied to Scotland, which alone was the kingdom, which had risen in rebellion, and of consequence could be reduced to obedience. That it could be demonstrated, as well by the testimony of all the king's ministers, as the known disposition of the forces, that the intention never was to transport the Irish army into England, but into Scotland : and that of six other counsellors present, Laud and Windebank could give no evidence ; Northumberland, Hamilton, Cottington, and Juxon could remember no such expression, and the advice was of too singular a nature to be easily forgot.

The evidence of secretary Vane, though so very lame and defective, was the real cause

cause of Strafford's death ; and made the bill of attainder pass the commons with no other opposition than that of fifty-nine dissenting voices. But there were still two other branches of the legislature, whose assent was necessary ; and in order to obtain that, it must be owned, the most violent and illegal expedients were employed. Next Sunday after the bill had passed the commons, the pulpits resounded with the most bitter invectives against evil ministers, and the absolute necessity of inflicting punishment upon great offenders. The populace, as usual, immediately took fire. Above six thousand men, armed with swords and cudgels, appeared at Westminster, and surrounded the houses of parliament.

The names of the fifty-nine members, who had voted against the bill of attainder, were affixed to public places, under the denomination of Straffordians and Betrayers of their country. These were loaded with the most opprobrious epithets, and even exposed to the most violent outrages : when any of the lords passed, the cry of justice against Strafford was sounded in their ears : and such as were suspected of attachment to that unfortunate nobleman, were almost afraid to appear in public.

But

But this battery, however furious, the peers would, in all probability, have withstood, had it not been for a new discovery, made about this time, which encreased still farther the fury of the people, and at last determined the fate of the unhappy Strafford.

Some principal officers, Piercy, Jermyn, Oneale, Goring, Wilmot, Pollard, and Ashburnham, partly from attachment to the crown, partly from an aversion to the parliament, had formed a plan of engaging, into the king's service, the English army, whom they found to be disgusted at some marks of preference given by the commons to the Scots.

With this view, they entered into an association, bound themselves by an oath of secrecy, and maintained a close correspondence with some of the king's servants. The form of a petition to the king and parliament, was composed ; and it was resolved to procure the subscriptions of the army to this petition.

The subscribers there represent the great and important concessions made by the king, for securing the lives and liberties of the subject ; the endless demands of certain factious and turbulent spirits, whom nothing less will satisfy than a total subversion

version of the ancient constitution ; the frequent tumults, which these malecontents had raised, and which endangered extremely the liberty of parliament.

To remedy these grievances, the army offered to come up and protect that assembly. " So shall the nation," as they alledge in conclusion, " not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to be more pernicious than the former."

The draught of this petition was transmitted to the king, who unhappily was persuaded to counter-sign it, as a mark of his approbation. But as it was found difficult to adjust all the particulars, the scheme was postponed for two months, before it was discovered to the parliament.

It was Goring who revealed the secret to the popular leaders. The pannic may be easily conceived, which this intelligence excited. Petitions from the military to the civil power, are always considered as disguised, or rather undisguised commands ; and are extremely different from addresses, presented by any other rank of men.

Pym imparted the matter to the house. On the first news of a discovery, Piercy absconded, and Jermyn retired to the Continent.

nent. This farther strengthened the suspicion of a dangerous conspiracy. Goring gave his evidence in the house, Piercy sent a letter to his brother Northumberland, acknowledging most of the particulars. Both these gentlemen agree with regard to the oath of secrecy; and as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was considered as a fresh proof that some desperate design had been formed.

This discovery could not fail to excite the most violent indignation among the people; nor did the commons fail to improve such a singular incident to their own purposes. They instantly voted, that a protestation should be signed by all the members. It was sent up to the house of peers, and signed by all of them, except Southampton and Robarts. Orders were issued by the commons alone, without other authority, that it should be subscribed by the whole nation.

This protestation was, in itself, very harm-and inoffensive, and contained nothing but a general declaration that the subscribers would hazard their lives and fortunes in defence of their religion and liberties. But it tended still farther to inflame the people against the measures of the court, and to make

make them demand with the greater importunity, the execution of the unhappy Strafford.

The king went to the house of lords ; and though he told them, that he was fully determined never again to employ Strafford in any branch of public business ; he yet declared that he was, by no means, satisfied with regard to the crime of treason of which he was accused ; and, therefore could not, without doing violence to his conscience, give his assent to the bill of attainder.

The commons were enraged at this interposition ; and voted it a breach of privilege for the king to take notice of any bill depending before the house. Charles did not consider that his affection for Strafford was the chief cause of the bill ; and that the more anxious he appeared for his preservation, the more difficult it would be to save him.

About eighty peers had constantly been present at Strafford's trial ; but so much were they intimidated by the popular tumults, that only forty nine were in the house, when the bill of attainder was introduced. Yet even of these, nineteen had the courage to vote against it. A strong presumption, that had perfect liberty been allowed, the bill would have been rejected by a great majority.

The

The commons having thus, by means of popular violence, extorted the consent of the peers, resolved to apply the same batteries in order to force the assent of his majesty. The populace crowded about Whitehall, and demanded justice on the earl of Strafford with the loudest clamours and the most open menaces. Rumours of conspiracies were circulated through the kingdom; invasions and insurrections were hourly apprehended; and the whole nation was inflamed to such a pitch of fury, as seemed to threaten some great and general convulsion.

Wherever the king turned his eyes he saw no remedy nor relief. All the courtiers, regarding more their own safety, than their master's honour, declined interposing with their advice between him and his parliament. The queen, alarmed with the fears of a rebellion, and being secretly an enemy to the earl of Strafford, was dissolved in tears, and importuned her husband to gratify his people in this demand, which, it was presumed, would finally content them. Juxon alone, whose courage was equal to his other virtues, ventured to advise him, if, in his conscience, he thought the bill unjust, by no means to give his assent to it.

Strafford,

Strafford, informed of the extreme perplexity in which the king was involved, embraced a very extraordinary resolution : he wrote a letter, in which he besought the king, for the sake of public peace, to put a period to his unfortunate though innocent life, and to appease the clamours of the outrageous multitude, by granting them that request for which they were so importunate.

" In this," said he, " my consent will more acquit you to God, than all the world can do besides. To a willing mind there is no injury. And as, by God's grace, I freely forgive all the world, with a calmness and meekness of infinite contentment to my departing soul : so, Sir, to you, I can resign the life of this world with the utmost chearfulness, in the just sense of your many, great, and exceeding favours."

Perhaps Strafford imagined, that this uncommon instance of generosity would render the king more anxious for his safety : perhaps, he gave his life for lost ; and, finding himself in the hands of his implacable enemies, and observing that Balfour, the lieutenant of the Tower, was wholly attached to the popular party, he thought it needless to delay the execution of that

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sentence which he despaired of ever being able to escape.

Whatever was his motive, certain it is, that Charles, wearied out with the intre-
ties of his queen, and terrified by the me-
naces of his people, at last granted a com-
mission to four noblemen, to give the royal
assent, in his name, to the bill; thinking,
probably, in the extremity of his distress,
that, as neither his will, nor his hand,
were concerned in the deed, he was the
more free from the guilt with which it was
attended. These commissioners were like-
wise empowered to give assent to the bill,
which declared the parliament perpetual.

The commons had, for some time, main-
tained the two armies, by borrowing money
of the city; and this loan they afterwards
repaid by taxes imposed upon the people.
The citizens, either of themselves, or at
the instigation of the popular leaders, began
to make some difficulty with regard to a
further loan, which they were desired to
furnish.

We are very willing to trust the parlia-
ment, said they, were we sure that the par-
liament was to continue till we are re-im-
bursed: but, in the present precarious situ-
ation of affairs, what security can we have
for our money?

In

In order to remove this objection, a bill was suddenly introduced, and passed with great unanimity and dispatch, that the parliament should neither be dissolved, prorogued, nor adjourned, without their own consent. It was hurried with the same rapidity through the house of peers ; and was immediately presented to the king for his assent. Charles, overwhelmed with grief, shame, and remorse, for the doom of the unhappy Strafford, considered not that this other bill was still more pernicious to his authority ; and rendered the power of his enemies as perpetual, as it was already irresistible.

The king ordered secretary Carleton to go to the Tower, and acquaint the earl with the final resolution which necessity had obliged him to embrace. The earl seemed astonished at the intelligence ; and, starting up, exclaimed, “ Put not your trust in “ princes, nor in the sons of men ; for in “ them there is no salvation.”

This, however, seems to have been merely the effect of sudden surprize. He was soon able to summon up his courage ; and he prepared himself to suffer the fatal sentence, with that magnanimity and fortitude which he so eminently possessed.

The king made a new attempt in his favour, and sent, by the hands of the young prince, a letter addressed to the peers, in which he conjured them to interpose their good offices with the commons, in order to procure a mitigation of Strafford's sentence, or, at least, a short delay; but both his requests were flatly refused.

Strafford in passing from his apartment to Tower-hill, where the scaffold was erected, stopped under Laud's windows, with whom he had long maintained a friendly correspondence; entreated the assistance of his prayers in those awful moments, which were approaching. The aged primate was bathed in tears; and having bestowed, with a faltering voice, a tender blessing on his departing friend, fell back into the arms of his attendants.

Strafford, still superior to his fate, marched on with an elated countenance, and with an air even of greater dignity than what he usually assumed. Sir William Balfour desired him to take a coach at the Tower gate, lest the enraged mob should tear him in pieces: "No," said he, "Mr. Lieutenant, I dare look death in the face, and the people too: have you a care I do not escape: 'tis equal to me how I die; whether by the stroke of the executioner, or by the mad-

" madness and fury of the people, if that
" may give them greater content."

His discourse on the scaffold was full of decency and courage. He feared, he said, that the omen was bad for the intended reformation of the state, that it commenced with the shedding of innocent blood. Having bid a last adieu to his brother and friends, who attended him, and having sent a blessing to his nearer relations who were absent: "And now," said he, "I have nigh done! one stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my freinds."

And preparing himself for the block, "I thank God," said he, "that I am no way afraid of death, nor am daunted with any terrors; but do as chearfully lay down my head at this time, as ever I did when going to repose." So saying, he laid his neck on the block, and at one stroke was a period put to his life by the executioner.

Such was the miserable and untimely fate of Sir Thomas Wentworth, Earl of Strafford, one of the most eminent and distinguished personages, that ever appeared in England. His great and uncommon abilities, as a

soldier, a statesman, an orator, a politician, have never been called in question; but the integrity of his heart, and his regard for the laws and liberties of his country, have been the subject of much controversy and dispute. He seems, indeed, to have been too much inclined to fall in with those arbitrary measures, which the court was unhappily disposed to pursue.

Nevertheless it must be owned, that, for every act of arbitrary power, of which he was guilty, he had still his majesty's orders to plead; and such was, at that time, the unfixed and unsettled nature of the English constitution, that his majesty's orders were, in many cases, considered as a sufficient apology.

The court of York, for example, was, at first, instituted by a stretch of royal prerogative; and the princes were accustomed to vary their instructions, according as circumstances might seem to require: of consequence, the largest authority, exercised by the president of that court, under his majesty's immediate direction, was altogether as legal as the most moderate and most limited.

Hence it appears, that however criminal Strafford might have been according to the principles of general equity, he was not criminal

minal in the eye of the law, nor could he be justly condemned of high treason.

That this was really the state of the case, is evident from a speech delivered at the trial by the lord Digby. "I am still the same," said he, "in opinion and affection as to the earl of Strafford: I confidently believe him to be the most dangerous minister, and the most insupportable to a free state, that ever yet exiled. I believe his practices, in themselves, to be as arbitrary, as tyrannical, as any subject ever attempted, and the malignity of them to be greatly aggravated by those rare talents, of which God had given him the use, but the devil the application. In a word, I consider him still as that great apostate of the common-wealth, who must not expect to be pardoned in this world, till he be dispatched to the other; and yet, let me tell you, Mr. Speaker, my hand must not be so that dispatch."

The first parliament after the restoration reversed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament, as if conscious of the iniquity, at least the illegality of the sentence, passed an act for restoring his children in blood and honour, and investing

ing them in the possession of their farther's estate.

The commons, having thus, by the death of the Earl of Strafford, removed the grand obstacle, as they imagined, to their intended reformation of the state, proceeded to prosecute their projected plan, with the utmost industry and vigour.

The court of high commission was justly considered as a great grievance; both because it was entirely arbitrary in its institution, and because it had the power of establishing the most absurd and ridiculous ceremonies, and enforcing the observance of them by the most cruel and severe punishments.

The court of Star-chamber was no less despotic: it exerted the highest acts of discretionary power; nor had it any precise rule or limit, either with regard to the causes, which it tried, or the decisions which it formed.

A bill unanimously passed the houses, to abolish these two courts; and, by that means, to annihilate the most dangerous and illegal articles of the king's prerogative. By the same bill, the jurisdiction of the council was regulated, and its authority circumscribed.

Charles

Charles made some difficulty in giving his assent: but finding it impossible to resist the torrent, and considering, that he had no resource in case of a rupture, he at last bestowed the royal sanction upon these excellent bills.

By suppressing the Star-Chamber, the king's power of binding the people by his proclamations, was indirectly cancelled; and that dangerous branch of prerogative, the distinguishing mark of arbitrary power, and altogether inconsistent with a free constitution, being at last removed, left the system of government more regular and uniform.

The Star-Chamber was invested with the power of punishing infractions of the king's edicts: but as no courts of judicature now remained, except those in Westminster-hall, which confine themselves entirely to the common and statute law, the king may thenceforth publish proclamations, but no man is obliged to obey them.

The judges had hitherto enjoyed their patents only during his majesty's pleasure: a circumstance which rendered them entirely dependent on the crown, and opened a door for the intrusion of arbitrary power into the ordinary courts of judicature. The commons now petitioned his majesty to grant

grant patents to the judges during their good behaviour; and Charles was persuaded to comply with their request.

The Marshal's Court, which took cognizance of offensive words, and was extremely arbitrary in its proceedings, was, for that reason, suppressed. The stannary courts, which exercised jurisdiction over the miners of Cornwall, being liable to a like objection, underwent the like fate.

The council of the North, and that of Wales, were both abolished on the same principles. The authority of the clerk of the market, who had a right to inspect all the weights and measures throughout the kingdom, was transferred to the mayor, sheriffs, and ordinary magistrates.

In a word, if we examine the proceedings of this memorable parliament during the first period of their operations; we shall find, that, excepting Strafford's attainder, which can, by no means, be justified, their merits, in other respects, so much exceed their errors, as justly to recommend them to the esteem and regard of all lovers of liberty.

The commons were now obliged to check their career. The king had promised his Scottish subjects, that he would this year pay them a visit, in order to regulate

their

their government; and though the English parliament earnestly pressed him to lay aside the thoughts of that journey, they could not so much as persuade him to postpone it for a moment.

As he must necessarily in his journey have passed through the armies of both nations, the commons seem to have been apprehensive of the consequences, and to have now hastened, as much as they formerly delayed, the dismission of the forces. The Scots, therefore, received their full arrears; the English theirs in part. The former returned to their own country: the latter, being disbanded, returned to their several habitations.

These prudent precautions being taken, the parliament, on the ninth of September, adjourned themselves to the twelfth of October; and a committee of both houses, a thing never before practised, was appointed to sit during the interval, with very extensive powers.

At the same time, a small committee of both houses, consisting of the earl of Bedford, lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hampden, was appointed to accompany the king into Scotland, in order, as was alledged, to see that the articles of pacification were per-

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performed ; but, in reality, to watch his majesty's conduct, and to observe, that he took no steps, which might prevent the execution of those schemes, which the commons had projected.

In the course of this year the princess Mary was married to William prince of Orange. The king agreed not to this match without consulting the parliament, who readily approved of the proposed alliance. This was the origin of the connexions with the family of Orange : connexions, which were afterwards productive of the most important consequences, as well to the kingdom in general, as to the house of Stuart in particular.

Charles, deprived in England of a considerable part of his authority, and apprehensive of still farther encroachments, arrived in Scotland on the fourteenth of August, with a firm resolution of resigning almost entirely the small share of power, which he there possessed, and of gratifying, if possible, the utmost wishes of his native subjects.

The spirit of liberty, which animated the English, was no less prevalent in Scotland, and was there productive of as great changes, as had lately taken place in the former kingdom.

The

The lords of articles were an ancient institution in the Scottish parliament. They were elected in this manner: the lords chose eight bishops; the bishops named eight lords: these sixteen chose eight commissioners of counties, and eight burgesses; and without the previous consent of the thirty-two, who were called Lords of Articles, no bill could be brought into parliament. As the bishops were universally attached to the court, it is plain, that all the lords of articles must, of course, depend on the king's nomination; and the prince, besides one negative after the bills had passed the parliament, enjoyed indirectly another before their introduction; a prerogative of much greater importance than the former.

The bench of bishops being now suppressed, the parliament improved the present opportunity of abolishing entirely the Lords of Articles: and till this essential point was gained, the nation could not properly be said to enjoy any regular liberty.

The peers and commons composed only one house in the Scottish parliament: and as both James and Charles had been wont to dignify English gentlemen with Scottish titles; all the determinations of parliament, it was to be apprehended, would in time depend upon the prince, by means

of these votes of foreigners, who had no interest nor property in the nation.

An excellent law was therefore enacted, that no man should be capable of being made a peer of Scotland, who possessed not ten thousand marks, equivalent to about five hundred pounds, in the kingdom.

A law was likewise passed for triennial parliaments; and it was decreed, that the last act of any parliament should be to fix the time and place for summoning the parliament next ensuing. The king was stripped of that power, formerly enjoyed, of publishing proclamations, which enjoined obedience, under pain of treason, a prerogative, which invested him with the whole legislative authority, even in matters of the greatest importance.

The Scots considered, that the farther they were removed from the residence of the prince, the more subject were they to the tyranny and oppression of evil ministers, and they therefore resolved to secure their liberties by the strongest and most invincible barriers.

For this purpose, they framed a bill, to which they procured the royal assent, that no member of the privy-council, in whose hands, during the king's absence, the whole admi-

administration was lodged; no officer of state, none of the judges, should be appointed without the advice and approbation of parliament.

Charles even agreed to deprive, of their seats, four judges, who were obnoxious to the parliament; and to fill their places with others more acceptable to the nation. Several of the Covenanters were also admitted into the privy council: and all the ministers of state, counsellors, and judges, were, by law, to enjoy their posts during life or good behaviour.

The king, while in Scotland, exerted his utmost endeavours in order to gain the popular leaders. He bestowed pensions and preferments on Henderson, Gillespy, and other ecclesiastics. The earl of Argyle was created a marquis, Loudon an earl, and Lefley was honoured with the title of earl of Leven.

Argyle and Hamilton, having conceived a suspicion, that the earl of Crawford and others intended to murder them, left the parliament abruptly, and withdrew into the country: but upon invitation and assurances, returned in a few days. The English parliament, was no sooner informed of this event, which, however, seems merely to have been a false alarm, than they resolved

solved to improve it to their own purposes. They spread a report, that a general conspiracy of the Papists was formed to destroy the Protestants in both kingdoms ; and, in order to secure themselves against the imaginary danger, they solicited and obtained a guard from the earl of Essex, whom the king had appointed general in the South of England.

But while the king was employed in composing the troubles in Scotland, and was preparing to return to England, in order to perfect the same salutary work in that kingdom, he received intelligence of a dangerous rebellion, which had broke out in Ireland, and which was attended with the most terrible scenes of cruelty, bloodshed, and devastation.

The standing army of Ireland was commonly about three thousand men ; but in order to enable Charles to reduce the Scottish Covenanters, Strafford had enlisted eight thousand more, and, in order to inure the new levied troops to military discipline, he had incorporated with them a thousand veterans, drawn from the old army. The private soldiers were all Catholics ; but the officers, both commission and non-commission, Protestants, and were firmly attached to the present constitution.

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The English commons were greatly alarmed on account of this army ; and never ceased importuning the king, till he agreed to disband it ; nor would they consent to any proposals for encreasing the standing army to five thousand men ; a number which was hardly sufficient for preserving the tranquillity of Ireland.

Charles, apprehending the dangerous consequences of dispersing, among a nation so turbulent and seditious as the Irish, a body of eight thousand men, accustomed to idleness, and inured to arms, agreed with the Spanish ambassador to have them conveyed into Flanders, and engaged in his master's service.

The English commons, imagining, that regular bodies of troops, disciplined in the Low-Countries, would prove still more dangerous, discovered some aversion to this measure ; and the king reduced his number to four thousand men.

But when the Spaniards had hired transports for these forces, and the men were ready to embark ; the commons, foreseeing, perhaps, the troubles which soon after ensued, and suspecting that the king would recall these troops to his own assistance, prohibited every one to furnish vessels for this service : and thus the project, formed

by Charles, of delivering the country from these men, was, by the mutual jealousies between him and his parliament, unhappily defeated.

There was a gentleman, named Roger More, who, though of a small fortune, was sprung from a very ancient Irish family, and was much distinguished among his countrymen for his valour and capacity. This man first projected the scheme of expelling the English, and restoring the independency of his native country.

With this view he engaged in a secret correspondence with lord Maguire, and Sir Phelim Oneale, the most powerful of the old Irish. He privately went from chieftain to chieftain, and rouzed up every latent principle of discontent. By conversation, by letters, by entreaties, he endeavoured to excite his countrymen to a general revolt. He represented to them, that, by the rebellion of the Scots, and the factions of the English, the king's authority in Britain was so much impaired, that, he would never be able to preserve the English dominion over Ireland; that the Catholics in the Irish house of commons, assisted by the Protestants, had so reduced the royal prerogative, and the power of the lieutenant, as would greatly facilitate the execu-

execution of any conspiracy, which should be attempted ; that the Scots, having so successfully thrown off the dominion of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater reason to embrace such a measure ; that the English planters, who had expelled them their possessions, abolished their religion, and deprived them of their liberties, were but a handful in comparison of the natives ; that they lived in the most supine security, surrounded by their numerous enemies, depending on the protection of a small army, which was itself dispersed in inconsiderable divisions throughout the kingdom ; that a great body of men, disciplined by the government, and inured to arms, were now thrown loose, and were ready to embark in any desperate enterprize ; that though the Catholics had enjoyed, in some tolerable degree, the exercise of their religion, from the lenity and indulgence of their prince, they must henceforth expect a more severe and rigorous treatment ; that the Puritanical parliament, having at last overcome their sovereign, would, no doubt, so soon as they had established their authority, extend their views to Ireland, and commence the same furious persecution against the Catholics in that kingdom, with which their

their brethren in England were now afflicted ; and that a revolt in the Irish, tending only to assert their native freedom against the violence of foreign invaders, could, never, at any time, be deemed rebellion ; much less, during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be given, not to him, but to those, who had invaded and usurped his lawful authority.

By these and the like arguments, More persuaded all the heads of the native Irish to engage in a conspiracy. The English of the Pale, as they were called, or the Old English Planters, being all Catholics, would, it was presumed, afterwards join the party, which re-established their religion in its ancient splendour and authority.

The plan was, that Sir Phelim Oneale, and other conspirators, should rise in arms on one day, throughout all the provinces, and should attack the English settlements ; and that, on the very same day, lord Maguire and Roger More should attempt to surprize the castle of Dublin.

The execution of this scheme was delayed till the approach of winter ; that there might be the greater difficulty in transporting forces from England. Cardinal Richelieu had promised the conspirators a considerable

siderable supply of men and arms: and many Irish officers, engaged in the Spanish service, had give secret assurance, that they would heartily concur with their Catholic brethren, as soon as an insurrection should be raised.

Ireland, indeed, was, at this time, in a most weak and defenceless condition. The earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, Sir William Parsons and ~~Sir~~ John Borlace were men of small abilities, and utterly unqualified for the important trust, with which they were charged. Indolent from habit, and unsuspicuous from ignorance, these men indulged themselves in the most profound repose, on the very brink of destruction.

But they were roused from their fatal security, the very day before that appointed for the commencement of hostilities. The castle of Dublin, which commanded the capital, contained arms for ten thousand men, with thirty-five pieces of canon, and a proportionable quantity of ammunition: yet did the garrison of this important place, consist of no more than fifty men.

Maguire and More had already entered the town with a numerous band of their dependants: fresh bodies were to arrive in the even-

evening : and, next morning, they were to attempt, what they considered as the easiest of all projects, the surprizal of the castle.

Oconolly, an Irishman, but a Protestant, revealed the secret to Parsons. The justices and council immediately took shelter in the castle, and reinforced the guards. The alarm soon reached the city, and all the Protestants stood on their defence. More escaped ; Maguire was seized ; and Mahone, one of the conspirators, being likewise apprehended, first disclosed, to the justices, the project of a general insurrection, and encreased the apprehensions which already possessed the inhabitants of Dublin.

But though Oconolly's information saved the castle from a surprize, the confession, extorted from Mahone, could not prevent the intended insurrection. Sir Phelim Oneale and his confederates had already taken arms in Ulster. The Irish, every where interspersed with the English, needed but a hint from their leaders and priests to begin hostilities against a people, whom they abhorred on account of their religion, and envied for their riches and prosperity.

It would shock the feelings of humanity, to describe the terrible massacre that followed. Death was the slightest punishment which these bigotted and blood-thirsty Catholics

tholics inflicted upon the unhappy Protestants. No American savage, practised in all the acts and refinements of cruelty, could have devised greater barbarities than what the rebels committed upon men, women, and children, during three months of a most severe and inclement winter: and it may suffice to say, that, during that time, no less than forty thousand Protestants were put to death, by Catholics, in cold blood. An eternal warning to the inhabitants of this kingdom, to guard against the introduction of a religion, which can excuse, authorise, and even sanctify such hellish and infernal proceedings!

The justices drew to Dublin all the bodies of the army, which were not encompassed by the rebels; and they collected a force of fifteen hundred veterans. They soon raised and armed, from the magazines, above four thousand men more. They sent a body of six hundred men to the relief of Tredagh, invested by the Irish.

But these troops, falling into an ambuscade of the enemy, were almost entirely put to the sword. Their arms being seized by the Irish, supplied them with what they chiefly wanted. - The justices, discouraged by this disaster, confined their sole attention to the defence of the capital. The earl

earl of Ormond, their general, endeavoured to inspire them with bolder councils; but he found it impossible to accomplish his aim.

The English of the Pale, who seem not, at first, to have been privy to the plot, affected to condemn the insurrection, and to detest the barbarity with which it had been attended. By their protestations and professions, they prevailed on the justices to furnish them with arms, which they promised to employ in support of the government.

But it soon appeared, that religious prejudices had a more powerful influence over them, than duty and affection to their native country. Placing lord Gormangtone at their head, they joined the old Irish, and barbarously imitated them in every act of cruelty towards the English Protestants. Besides many smaller bodies, scattered over the whole kingdom, the principal army of the rebels consisted of no less than twenty thousand men, and menaced Dublin with an immediate siege.

Both the English and Irish rebels concurred in one imposture, with which they deceived many of their deluded countrymen: they pretended, that they had authority from the king and queen, but chiefly

from

from the latter, for their insurrection ; and they alledged, that the intention of their rising in arms, was to restore the royal prerogative, now abolished by the Puritanical parliament. Sir Phelim Oneale, having found a royal patent in lord Causfield's house, whom he had butchered, tore off the seal, and affixed to it a commission, which he had forged for himself.

The king received intelligence of this insurrection, by a messenger dispatched from the north of Ireland. He forthwith imparted the matter to the Scottish parliament, and demanded immediate succours for the suppression of the rebels.

But the Scots excused themselves from taking such a step, alledging, that, as Ireland depended upon England, the English parliament would undoubtedly provide for its security ; and that, should they intermeddle in the affair, of their own accord, they would justly incur the jealousy of their brethren.

Besides, they were unwilling to send any forces into Ireland, until they should know in what manner they were to be supported. The king, they were sensible, was little able to fulfil any articles of agreement, which might be previously concerted. These conditions, they imagined, could only be per-

formed by the English parliament; and they, therefore, contented themselves with sending commissioners to London, in order to treat with that power, in whom the sovereign authority was now, in reality, lodged.

The king too, conscious of his utter inability to reduce the Irish rebels, found himself obliged, in this emergency, to apply to the English parliament, and to depend entirely, for aid and assistance, on their generosity. After acquainting them with the purport of the letter which he had received, he told them, that the insurrection was not, in his opinion, the result of any rash enterprize, but the effect of a deliberate conspiracy against the government of England.

To their care and prudence, therefore, he said, he entrusted the conduct and management of the war, which, in a cause so essential to national and religious interests, must, of necessity, be immediately commenced, and vigorously prosecuted.

The English parliament was now convened, and discovered, in every vote, the same dispositions in which they had parted. The extending their own authority, the abridging the power of the sovereign, were still the objects which they had in view.

Every attempt, which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of success; partly for want of skill in conducting it, partly by reason of the slender presents, which, it was in the king's power to bestow, and partly too from the generous and patriotic sentiments of some of the commons, who scorned to sacrifice the good of the public to their own selfish and interested views.

Sensible, that the measures, which they had hitherto pursued, rendered them extremely obnoxious to the king; they were determined to seek their own security, by establishing the authority of that assembly of which they were members.

The great difficulties, in which the king was involved; the violent prejudices, which the generality of the nation had conceived against him; his facility in granting the most important concessions; the example of the Scots, who, by their bold and vigorous efforts, had effectually secured their civil and religious liberties: all these circumstances further animated the commons in their popular proceedings, and their invasions of royal prerogative: and the danger to which the constitution seemed to have been so lately exposed, had even persuaded

many, that it never could be perfectly safe, until the authority which had dared to invade it, was totally abolished.

In prosecution of this plan, the commons resolved to avail themselves of the present situation of affairs ; and it was a circumstance extremely favourable to their projects, that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland.

That expression of the king, by which he entrusted to them the management of the Irish war, they immediately laid hold of, and interpreted, in the most unlimited sense. They had, on other occasions, been gradually invading the executive power of the crown, which constitutes its principal, and most natural branch of authority ; but, with regard to Ireland, they at once assumed it, fully and entirely, as if it had been consigned over to them by a free and voluntary gift. And to this usurpation the king was under a necessity of submitting ; both because he was unable to resist, and lest he should incur the reproach, which his enemies endeavoured to fix upon his character, of encouraging the progress of that odious rebellion.

The

The commons, having once embraced the resolution of circumscribing still farther the prerogative in England, determined to conduct the Irish war in a perfect subordination to the former project.

Accordingly, while they affected the utmost zeal against the Irish rebels, they took no steps towards their reduction, but such as likewise tended to give them the superiority in those commotions, which, they plainly perceived, must soon be excited in England.

Possessed, as they were, with a high contempt for the natives of Ireland, they fondly imagined, that it would be easy, at any time, to suppress their rebellion, and restore the kingdom to a state of tranquillity: nor did they chuse to forfeit, by too hasty success, the advantage, which that rebellion would afford them in their intended encroachments on the royal prerogative.

By engrossing the total management of the war, they acquired an extreme ascendant in the army : they levied monied, under pretence of the Irish expedition ; but reserved it for purposes, in which they were more deeply interested ; they took arms from the king's magazines ; but preserved

them with a secret intention of employing them against himself: and whatever law they deemed necessary for the promotion of their schemes, was voted and passed without opposition.

To pave the way for their encroachments on royal authority, it was judged proper to frame a remonstrance of the general state of the kingdom; and accordingly, the committee, which, at the first meeting of the parliament, had been appointed for that purpose, and which had hitherto proceeded slowly in their work, were now enjoined to complete their undertaking with the utmost expedition.

The committee delivered to the house that remonstrance, which has made so much noise, and which was soon after productive of the most important consequences.

It was not addressed to the king; but was plainly declared to be an appeal to the people. The severity of the matter was only exceeded by the acrimony of the style. It contained many gross falsehoods, interspersed with some evident truths; invidious insinuations were joined to bitter invectives; loud complaints of the past, accompanied with terrible prognostications of the future. Every unfortunate, every unpopu-

lar, every imprudent measure, which the king had embraced, from the beginning of his reign, is represented in the most black and odious colours : the unsuccessful expeditions to Cadiz and the Isle of Rhé are mentioned : the sending ships to France for the reduction of the Hugonots : forced loans, and benevolences : the illegal confinement of men for disobeying illegal commands : the violent dissolution of four parliaments : the despotic government, which always succeeded : the questioning, fining, and imprisoning members for their behaviour in the house : the imposition of taxes without consent of parliament : the introduction of superstitious ceremonies into the church, without authority of law : in short, every thing, which, during the course of fifteen years, from the accession of the king, to the meeting of the present parliament, had afforded any cause of offence to the nation.

But as all these grievances had been already redressed, and even laws enacted to prevent their return, it plainly appeared, that the present remonstrance could serve no other purpose, than to exasperate the people against the government.

No wonder, therefore, that an appeal of such an invidious and malignant nature should

should meet with a strong opposition in the House of Commons. For fourteen hours the debate was continued with the utmost warmth and eagerness; and from the weariness, rather than submission, of the king's party, which, probably, consisted of the elderly people, and men of cool spirits, the vote was, at last, carried by a small majority of eleven. Some time after, the remonstrance was printed and published, without being carried up, as is usual in such cases, to the House of Peers, for their assent and approbation.

The king having settled the affairs of Scotland, set out on his return for England, and on the twenty-fifth of November arrived in London, where he was received with the shouts and acclamations of the people, and with every demonstration of regard and affection.

Sir Richard Gournay, lord mayor, a man of merit and influence, had promoted these favourable dispositions, and had prevailed on the populace, who so lately abused the king, and who soon after declared open war against him, to give him these marks of their duty and allegiance. But all the pleasure, which he derived from this favourable reception, was soon damped by the remonstrance of the commons, which

was

was presented to him, together with a petition of a like import.

Charles, naturally warm and sanguine in his temper, could not fail to be incensed at such a bold and daring manifesto against his government; for such, in reality, it was. In order to prevent the bad effects which it might have among the people, he instantly resolved to give it an answer.

But in this contest, he lay under mighty disadvantages. The people had conceived the most violent prejudices against him; and the only arguments, which he could advance in defence of his former conduct, were such as it was not safe nor prudent for him, at this time, to employ.

So great a veneration had the people for parliaments, that to blame the past conduct of these assemblies, would have been highly resented by the nation. So loud were the complaints against the usurpations of the crown, that had the king asserted his right of supplying, by his own authority, the deficiencies in government, he would have inflamed the spirit of discontent, which already prevailed in the nation.

Charles, therefore, contented himself with affirming, in general, that, even during that period, said to be so oppressive, the people

people enjoyed a great share of happiness ; not only comparatively, in respect of their neighbours, but even in respect of those times, which were justly esteemed the most fortunate.

He declared his attachment to the Protestant religion ; promised indulgence to tender consciences ; mentioned his great concessions to national liberty ; condemned the infamous libels every where dispersed against him ; complained of the general reproaches contained in the remonstrance, with regard to ill councils, though he had screened no minister from parliamentary justice, retained no unpopular servant, and bestowed offices on no one, who was not esteemed and respected by the public.

“ If notwithstanding this,” says he, “ any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country, to their own sinister ends and ambition, under whatever pretence of religion and conscience ; if they shall endeavour to lessen my reputation and interest, to weaken my lawful power and authority ; if they shall attempt, by discountenancing the present laws, to loosen the bonds of government, that all confusion and disorder may break in upon us ; I doubt not but God, in his

" his good time, will discover them to me,
" and that the wisdom and courage of my
" high court of parliament will join with
" me in their suppression and punishment."

The next attack, which the commons made upon the royal prerogative, was the bill for impressing soldiers to the service of Ireland. This bill immediately passed the lower house. In the preamble, the king's power of impressing was declared illegal and contrary to law. As a necessary consequence, the prerogative which the crown had ever assumed, of compelling men to accept of any branch of public service, was cancelled and abolished : a prerogative, indeed, entirely inconsistent with a free constitution.

In order to elude this attack, the king engaged to raise ten thousand volunteers for the Irish service : but the commons refused to accept his offer ; afraid, no doubt, to give him the disposal of so powerful an army. Charles, still unwilling to agree to so considerable a diminution of his power, came to the house of lords and offered to give his assent to the bill without the preamble ; by which means, he said, that delicate question, with regard to the prerogative, would for the present be avoided, and the

the pretensions of each party be fully preserved.

Both houses were incensed at this rash and precipitate measure ; which, from a similar case, while the bill of attainder against Strafford was in agitation, Charles might have learned, would give so much offence. The lords, as well as commons, concurred in a vote, declaring it to be a breach of privilege for the king to interfere in the deliberations of parliament, or to take notice of any bill, before it was presented to him in a regular manner. The king was obliged to atone for his error by making an apology.

The commons had conceived the most implacable hatred, not only against those prelates who had introduced superstitious ceremonies into the church, but even against the whole order. They had impeached thirteen bishops of high treason, for enacting canons without the consent of parliament ; though, from the foundation of the monarchy, no other method had ever been followed : and they now demanded, that the peers, upon this general charge, should sequester those bishops from their seats in parliament, and commit them to custody.

Their bill, for abolishing the bishops - votes had, last winter, been rejected by the peers :

peers; but they again brought in the same bill, though no prorogation had intervened; and they endeavoured, by some minute distinctions, to supersede that rule of parliament, which opposed them. And when they sent up this bill to the lords, they insisted, that the prelates, being all of them parties, should be allowed no vote with regard to that question.

The commons, indeed, had several friends in the upper house. The principal of these were the earl of Northumberland, lord admiral, a man of the first family and fortune in the kingdom; the earl of Essex, who possessed all his father's popularity, and having, from his early youth, addicted himself to a military life, united to a moderate capacity, that rigid inflexibility of honour, which constitutes the proper ornament of a nobleman and a soldier; the lord Kimbolton, soon after earl of Manchester, a person of the most unblemished conduct and the most amiable manners. These men, partly from aversion to the court, partly from the love of popularity, were strongly tinctured with republican principles, and warmly seconded all the measures of the commons.

But notwithstanding this favourable circumstance, the commons could never expect the assent of the upper house, either to the

bill for excluding the bishops, or to any other bill, which they should venture to frame, for the farther diminution of royal authority. The majority of the peers still adhered to the king, and plainly perceived that the abolition of monarchy must soon be followed by the suppression of nobility.

In order, therefore, to turn the scale in their own favour, the popular leaders among the commons (for we cannot, in justice, accuse the whole house of such base and disingenuous arts) had again recourse to the influence of the rabble. They awakened the fears of the people by perpetual enquiries after conspiracies; by reports of insurrections; by false intelligence of invasions from abroad; by discoveries of dangerous combinations at home among Papists and their adherents.

When Charles dismissed the guard, which had attended them during his absence, they were highly offended; and upon his offering them a new guard under the command of the earl of Lindsey, they rejected the offer; as if they meant to insinuate, that their danger arose chiefly from the king himself.

They even caused halberts to be brought into the hall, where they met, and thus armed themselves against those conspiracies, with

with which, they alledged, they were hourly threatened.

Multitudes of people crowded towards Westminster, and abused the prelates and such lords as adhered to the court. The peers drew up a declaration against these tumults, and sent it to the other house; but they refused to interfere in the matter. Some seditious apprentices, being seized and committed to custody, were immediately restored to their freedom, by an order of the commons.

The sheriffs and justices having appointed constables with strong watches to guard the parliament; the commons sent for the constables, commanded them to dismiss the watches, summoned the justices before them, declared their orders a breach of privilege, and imprisoned one of them in the Tower.

Encouraged by these marks of indulgence, the populace flocked to Whitehall, and threw out the most violent menaces against the king himself. In this time of danger and confusion, some reduced officers and gentlemen of the inns of court, offered their service to his majesty. Between them and the rabble, there happened frequent skirmishes, which were even sometimes attended with bloodshed.

By way of reproach, these gentlemen stigmatized the rabble with the appellation of *Roundheads*; on account of the short, cropt hair, which they wore: and these, in return, gave the others the name of *Cavaliers*. And thus the nation, which was before sufficiently exasperated, as well by civil as religious quarrels, was likewise provided with party-names, under which the opposite leaders might range their adherents, and signalize their mutual hatred and resentment.

Meanwhile, the tumults about Westminster and Whitehall, became, every day, more violent and outrageous. The cry perpetually resounded against bishops and ill-affectioned lords. The former especially, being easily known by their habit, were exposed to the most virulent reproaches, and even to the most dangerous insults.

Williams, lately promoted to the see of York, having been abused by the rabble, hastily summoned a meeting of his brethren. By his advice, a protestation was framed, and presented to the king and the house of lords.

The bishops there represent, that, though they had an undoubted right to sit and vote in parliament; yet, in coming thither, they had been threatened, assaulted, and abused,

by

by the licentious multitude, and could no longer with safety give their attendance in the house.

For this reason, they entered a protest against all laws, votes, and resolutions, as null and invalid, which should pass during the time of their forced and constrained absence. This protestation, which, though just and legal, was certainly very imprudent, was subscribed by twelve bishops, and transmitted to the king, who hastily approved of it. As soon as it was delivered to the lords, the house desired a conference with the commons, to whom they communicated this strange protestation.

The commons were incensed at the presumption of the bishops; and immediately preferred an impeachment of high-treason against them, as endeavouring to destroy the fundamental laws, and to invalidate the authority of the legislature. On the very first demand, the prelates were sequestered from parliament, and taken into custody.

No one, in either house, attempted to speak a single word in their favour; so much offended was every one at the egregious imprudence of which they had been guilty. One person alone said, that he did not think them guilty of high-treason; but that they were stark mad, and

therefore proposed they should be sent to Bedlam.

A few days afterwards, the king committed another indiscretion, which was attended with more dangerous and fatal consequences ; an indiscretion, indeed, which ought to be considered as the immediate cause of all the disorders and civil-wars, in which the kingdom was, soon after, involved.* This was the impeachment of the lord Kimbolton and the five members.

Though Charles had remained a passive, he had not been an unconcerned spectator, of the many violent encroachments which had lately been made upon his prerogative. The remonstrance of the commons, in particular, had stung him to the quick, and inspired him with the strongest and keenest resentment.

He was enraged to find, that all his concessions only increased the demands of his enemies ; that the people, who were returning to a sense of duty towards him, were again excited to tumults and sedition ; that the blackest calumnies were invented against him, and even the Irish massacre attributed to his councils and contrivances ; that a method of address was employed, not unsuitable,

suitable towards so great a prince, but which no private gentleman could bear with patience : when he reflected on all those violent proceedings in the commons, he was apt to impute them, in a great measure, to his own indolence and facility.

The queen and ladies of the court farther inflamed his passion, and alledged, that, if he exerted the authority, and displayed the majesty of a monarch, his insolent and aspiring subjects would instantly shrink before him.

Lord Digby too, a man of great abilities, but of a warm and passionate disposition, enforced the same topic ; and Charles, who, though commonly moderate in his temper, was ever inclined to hasty resolutions, at last yielded to the fatal importunity of his friends and servants.

Herbert, attorney-general, repaired to the house of peers, and, in his majesty's name, preferred a charge of high treason against lord Kimbolton and five commoners : Hollis, Sir Arthur Hazelrig, Hampden, Pym, and Strode.

The articles imported, that they had traiterously endeavoured to destroy the fundamental laws and constitution of the kingdom, to bereave the king of his royal prerogative, and to establish an arbitrary and tyrannical

tyrannical government ; that they had attempted, by the foulest and most injurious aspersions on his majesty's person and councils, to rob him of the affections of his people, and to expose him to their hatred and aversion ; that they had endeavoured to persuade his late army to refuse obedience to his royal commands, and to join with them in their traiterous designs ; that they had invited and encouraged a foreign power to attack the kingdom ; that they had done all that in them lay to destroy the rights and very being of parliaments ; that, in order to accomplish their traiterous projects, they had endeavoured, by open force and secret fraud, to engage the parliament to concyr with them, and for that purpose, had industriously fomented and excited tumults against the king and parliament ; and that they had traiterously conspired to levy, and had actually levied war against the king.

The whole nation was confounded at this important accusation, so suddenly concerted, and so rashly executed, without study, deliberation, or reflection. Some of these articles, it was said, seemed to be common between the accused members and the parliament ; nor did these persons appear to be any farther guilty of the crimes, with

with which they were charged, than so far as they joined with the majority in their votes and speeches.

Though some proofs, perhaps, might be brought of their privately inviting the Scots into England ; how could such an attempt be deemed treason, after the act of indemnity, which had passed ; and after that, both houses, with the king's consent, had bestowed on that nation the sum of three hundred thousand pounds for their friendly assistance ?

While the House of Peers are scarce able to support their own authority, or refuse the bills presented them by the commons ; will they ever be allowed by the populace, even supposing them willing, to pass a sentence, which must annihilate the power of the lower house, and blast the success of all their undertakings ?

The five members, at least Pym, Hampden and Hollis, are the very heads of the popular party ; and if these be destroyed, what fate must await their followers, who are, many of them, involved in the same guilt ? The punishment of leaders is ever the last triumph over a fallen and vanquished enemy ; but surely was never before attempted, in opposition to a party, during

during the full tide of its power and popularity.

But people had not leisure to wonder at the extreme folly of this measure: their amazement was excited by new attempts, still more rash and inconsiderate. A sergeant at arms, repaired to the house, and demanded, in the king's name, the five impeached members; but he was dismissed without any positive answer. Messengers were ordered to search for them, and apprehend them. Their trunks, chambers, and studies, were sealed and locked.

The house declared all these violences to be a breach of privilege, and enjoined every one to defend the liberty of the members. The king, provoked at this opposition, determined next day to go to the house in person, and there to demand, perhaps to seize in their presence, the persons whom he had impeached.

This resolution coming to the ears of the countess of Carlisle, sister to Northumberland, a lady of great wit, spirit, and intrigue; she immediately gave notice of it to the five members: and they had time to withdraw, a little before the king's arrival. He was attended by his ordinary retinue, consisting of about two hundred persons, armed,

armed, as usual, some with halberts, others with small swords.

The king, leaving them at the door, advanced alone through the hall, while all the members stood up to receive him; and coming up to the speaker, "By your leave, "Mr. Speaker," said he, "I must make use of your chair a little," and immediately took his seat.

The speech, which he made, was to the following purpose: "Gentlemen, I am sorry for the occasion of my present visit. Yesterday I sent a serjeant at arms to demand some, who, by my order, were impeached of high-treason. Instead of obedience, I received a message. I must here declare to you, that, though no king that ever was in England, could be more careful of your privileges than I shall be, yet in cases of high-treason, no person has privilege. Therefore, I am come to acquaint you, that I must have these men wherever I can find them. Well, since I see the birds are flown, I do expect, that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a just and legal manner; for I never meant any other;

" other ; and now since I see I cannot do
" what I came for, I think this no unfit
" occasion to repeat what I have formerly
" said, that whatever I have done in fa-
" vour and to the good of my subjects, I
" intend to maintain it."

When the king was surveying the house for the accused members, he asked the speaker, who stood below, whether any of these persons were in the house ? The speaker, falling on his knees, replied with great presence of mind : " I have, Sir, neither
" eyes to see, nor tongue to speak in this
" place, but as I am directed by the house,
" whose servant I am, And I humbly ask
" pardon, that I cannot give any other
" answer to the question which your ma-
" jesty is pleased to put to me."

The commons were in the utmost confusion, and when the king was leaving the house, some members cried aloud, so as he might hear them, privilege ! privilege ! Immediately after his departure the house adjourned till next day.

That evening, the impeached members, apprehensive of a violent arrest, retired into the city, where they were perfectly secure. The citizens were the whole night in arms : a precaution indeed, which seems altogether unnecessary. Some people, ap-

pointed

pointed for that purpose, or perhaps influenced by their own fears, ran from gate to gate, crying out, that the cavaliers were coming to burn the city, and that the king himself was at their head.

Next morning, Charles sent a message to the lord mayor, commanding him to call a common-council immediately. About ten o'clock he himself, accompanied only by three or four lords, repaired to Guild-hall.

He told the council, that he was sorry to hear of the violent apprehensions entertained of his conduct ; that he was now come to them without any guard, in order to convince them of his perfect reliance on their duty and affection ; that he had accused certain men of high-treason, against whom he would proceed in a legal manner, and, therefore hoped they would not be screened from justice in the city.

After finishing his speech, he told one of the sheriffs, who, of the two, was supposed to be least attached to his interest, that he would dine with him. He left the hall without the usual acclamations. In passing through the streets, he heard the cry, " Privilege of parliament ! Privilege of parliament !" resounding from all quarters ; and one of the mob, more forward than the rest, drew

near the coach, and called out with a loud voice, " To your tents, O Israel ! "

When the house met, they pretended to be filled with the utmost terror and apprehension ; and adjourning themselves for some days, appointed a committee to sit in Merchant-Taylors Hall in the city.

The committee made strict scrutiny into every circumstance attending the king's entry into the house : every passionate expression, every menacing look and gesture of any, even the meanest, of his attendants, was represented in the blackest and most odious colours : and an intention was thence inferred of offering violence to the parliament, of arresting the impeached members in the very houle, and of murdering all those who should make any resistance.

At last the house met ; and after approving the votes of their committee, they instantly adjourned, as if apprehensive of some violent attempts from the malice of their enemies. This practice they followed for some time. When the people, by these imaginary dangers, had been wrought up to a sufficient degree of rage and resentment, it was judged proper that the accused members should be conducted back to the house, with a triumphant and military procession.

The

The Thames was crowded with boats and other vessels, furnished with small pieces of ordnance prepared to fight. Skippon, whom the parliament had constituted, by their own order, major-general of the city-militia, escorted the members, at the head of this tumultuous army, to Westminster-Hall. And when the populace, by water and by land, passed Whitehall, they called out; “What has become of the king and his cavaliers? whether are they fled?”

Charles, sensible of the extreme folly of his late conduct, and dreading the farther effects of popular resentment, endeavoured, if possible, to repair his error. He accordingly sent a message to the commons, desiring they would agree upon some legal method by which he might carry on his prosecution against the members, lest some farther misunderstanding should happen with regard to their privileges. They required him to lay the grounds of accusation before the house; that so they might judge, in the first place, whether it were proper to abandon their members to a trial.

The king then acquainted them, that he would drop, for the present, all prosecution. By successive messages, he afterwards offered to grant a pardon to the members; to assent to any law, that should acquit or

secure them ; and to make any reparation to the house for the breach of privilege, of which, he owned, they had reason to complain.

The commons, however, were determined to accept of no satisfaction, unless he would name the persons who had advised him to that illegal measure : a condition, indeed, to which he could not, with any regard to his honour, agree ; and without which, however, no sufficient reparation could be made.

This difficulty, this impossibility, to which Charles had reduced himself, of giving any satisfaction to the parliament, was the very circumstance which constituted the guilt, at least the imprudence, of his action.

That a king of England can do no wrong is an acknowledged maxim in the constitution ; but that his ministers may do wrong, and that they may be punished for the wrong they do, is equally acknowledged. Charles, as long as he could keep the seat of government, endeavoured to establish the first of these maxims, and to evade the latter : for he took every opportunity of thrusting himself between his ministers and his people, and his language to the latter then was,

“ Such or such measure is not my ministers,
“ but my own. As it is my own, and not
“ my

" my ministers, you are to give yourselves
 " no farther concern : for it must be right ;
 " because you yourselves allow, that your
 " king can do no wrong."

This conduct, even by the most idolatrous admirer of the memory of Charles, who has the least knowledge of the English constitution, must be allowed to be big with irreparable mischiefs, as it throws down all the barriers, which the wisdom of former ages have raised against the undue exercise of regal power, and destroys the distinction, which is the palladium of English liberty ; the distinction between the personal and political power of the king.

When these streams shall run confluent, what can be expected, but that the flood of arbitrary power should sweep away all the ancient land-marks of liberty, property, religion, and all that can be dear and valuable to men ? and nothing could point stronger that way than did this action of Charles, who, by over-leaping all the forms of justice, and by attempting to execute, in his own person, the office of a common pursuivant, had offered a flagrant violation to the liberties of the people, and, at the same time, rendered himself incapable of making any reparation.

But had it even been possible for him to make sufficient reparation, it is not likely that the popular leaders would have been willing to accept it. They plainly perceived the inextricable labyrinth in which he had involved himself, and they resolved to improve it to their own advantage.

In order to inflame the people, whose dispositions were already very mutinous, the expedient of petitioning was revived. A petition from the county of Buckingham was presented by six thousand men; who engaged to hazard their lives and fortunes in defending the privileges of parliament. The same example was followed by the city of London, the counties of Essex, Hertford, Surrey, and Berks.

A petition was even received from the apprentices. Nay, one was encouraged from the porters, whose numbers amounted, as they said, to fifteen thousand. The address of that great body was of the same purport with all the others; it related to the privileges of parliament, the danger of religion, the decay of trade, the rebellion of Ireland. The porters further demanded, that justice should be executed upon offenders, according to the atrociousness of their crimes. And they concluded with observing, “that if such remedies were not

“ imme-

" immediately applied, they would be
" forced to extremities not fit to be named,
" and would make good the saying, that
" necessity has no law."

The very women were seized with the general contagion. A brewer's wife, accompanied by many thousands of her sex, presented a petition to the house ; in which the petitioners expressed their terror of the prelates and Papists, and their dread of the massacres, rapes, and outrages, which had been committed upon their sex in Ireland. They had been obliged, they said, to follow the example of the women of Tekoah : and they insisted on an equal right with the men, of communicating their sense of the public cause ; because Christ had died for them, as well as the other sex.

Mean while, all petitions which favoured the church and monarchy, from whatever quarter they came, were not only rejected ; but the petitioners were seized, imprisoned, and prosecuted as delinquents : and this unequal conduct was openly avowed and justified. Whoever want a change, it was said, must signify their inclination ; for how, otherwise, can it be known ? But those who are satisfied with the present government in church and state, should not petition ; because

because they already enjoy what they desire.

The king had always possessed a very strong party in the lower house, as was evident in the vote for the remonstrance ; and this party, had no new cause of offence been given, would soon have gained the ascendant ; from the odium attending the violent measures embraced by the popular leaders.

A great majority he always enjoyed in the house of peers, even after the imprisonment or expulsion of the bishops ; and this majority could never have been overpowered, but by such outrages as would, in the end, have ruined and disgraced the authors.

By the present fury of the people, as by an irresistible torrent, were all these obstacles swept away, and every rampart of royal authority entirely demolished. The king's party was struck with such a general panic, that an undisputed majority remained every where to their opponents ; and the bills, sent up by the commons, which had hitherto stopped with the peers, and would certainly have been rejected, now passed, and were presented for the royal sanction. These were the pressing bill, with the preamble,

ble, and the bill for the exclusion of the bishops.

The king was now involved in the utmost perplexity. The queen too, foreseeing the troubles, which soon after followed, and finding no resource in her husband's protection, was preparing to withdraw into Holland. Apprehensive of an immediate rupture, she persuaded the king to pass these bills, in hopes of suspending the fury of the people, till she should make her escape.

The commons knew, that monarchical government, which during so many ages, had subsisted in England, would soon recover some degree of its former lustre, after the present storm was past; nor would all their new invented restrictions be able entirely to abolish an authority, to which the nation had ever been accustomed.

The sword alone, that ultimate judge of all controversies, could perfectly secure their acquired power, and fully defend against the rising indignation of their sovereign. To this object therefore they now directed their whole attention.

A large magazine of arms being lodged in the town of Hull, they bestowed the government of that place upon Sir John Hotham, a gentleman of considerable fortune in the neighbourhood. They sent a message to Gor-

ring,

ring, governour of Portsmouth, requiring him to obey no commands, but such as he should receive from the parliament. They obliged the king to deprive Sir John Biron of the government of the Tower, and to confer it on Sir John Conyers, who was firmly attached to their interest.

After taking those previous steps, they resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to vest it in the hands of their friends and adherents.

The severe votes, passed in the beginning of this parliament, against Lieutenants and deputy-lieutenants, for exerting powers enjoyed by all their predecessors, had totally disarmed the crown, and had even deprived the magistrate of that military authority which was absolutely necessary for the defence and security of the kingdom.

To remedy this inconvenience, was now deemed expedient. An ordinance was framed, and passed the two houses, which reinstated lieutenants and deputies in the possession of their former powers; but, at the same time, the names of all the lieutenants were mentioned in the ordinance; and these consisted entirely of men in whom the parliament could repose confidence. And, for their conduct, they were responsible, by the express

express terms of the ordinance, not to the king, but to the parliament.

To this bill was prefixed a preamble, seemingly calculated to enforce the necessity of it, but really intended to asperse the character and conduct of the king. It was conceived in the following terms :
“ Whereas there has been of late a most
“ dangerous and desperate design upon the
“ houie of commons, which we have just
“ cause to believe an effect of the bloody
“ councils of Papists and other ill-effectued
“ persons, who have already raised a rebel-
“ lion in the kingdom of Ireland. And
“ whereas, by reason of many discoveries,
“ we cannot but fear they will proceed,
“ not only to stir up the like rebellions and
“ insurrections in this kingdom of England ;
“ but also to back them with forces from
“ abroad, &c.”

Here Charles ventured to put a stop to his concessions, and that, not by a refusal, but by a delay. When this bill was presented to him ; a bill, which, if he had passed, would have totally subjected him to the mercy of his enemies ; he was at Dover, attending the queen and princess of Orange in their embarkation.

He said, that he had not now time to examine a matter of so much consequence, and

and must therefore delay his answer till his return. The parliament immediately sent another message to him, and pressed him with fresh importunities.

They expressed their sorrow and regret on account of his majesty's answer to their late petition. They alledged that any delay, during dangers so great and imminent, was almost equal to a denial. They asserted, that it was their duty, to see a measure, so essential to the public welfare, carried into immediate execution. And they declared, that the people, in several counties, had already petitioned them for that purpose, and, in some places, were, of their own accord, and by their own authority, putting themselves in a posture of defence.

Provoked, as the king must have been at these insinuations, he yet was afraid to give a flat denial. Besides excepting to the preamble, which was so injurious to his character, and protesting the innocence of his intentions, when he came into the house of commons; he only required, that the military authority, if defective, should first be bestowed upon the crown; and he engaged to grant commissions, but such as should be revokeable at pleasure, to the very same persons, whom the parliament had named in the ordinance.

But

But the parliament would agree to no such proposal. They peremptorily told him, that, unless he immediately complied with their demands, they should be obliged, for the safety of the king and kingdom, to regulate the militia by the authority of both houses, and were determined to do it accordingly.

They affirmed, that those parts of the kingdom, which had, from their own authority, put themselves in a posture of defence, during the present jealousies and apprehensions, had acted agreeably to the declarations and instructions of both houses, and in perfect conformity with the laws of the kingdom. And while they thus threatened the king with their power, they entreated him to take up his residence among them.

" I am so amazed at this message," said the king, in his quick reply, " that I know not what to answer. You talk of jealousies and fears! lay your hands on your hearts and ask yourselves, whether I may not also be disturbed with jealousies and fears; and if so, I assure you, this message has nothing lessened them.

" As to the militia, I thought so much of it before I gave that answer, and am so much assured, that the answer is agreeable

“ to what in reason or justice you can expect,
“ or I in honour grant, that I shall not alter
“ it in any point.

“ For my residence near you, I wish it
“ might be safe and honourable, and that I
“ had no cause to absent myself from White-
“ hall : ask yourselves whether I have not ?
“ What would you have ? Have I violat-
“ ed your laws ? Have I refused to pass any
“ bill for the ease and security of my sub-
“ jects ? I do not ask, what you have done
“ for me.

“ Have any of my people been transport-
“ ed with fears and apprehensions ? I offer
“ as free and general a pardon as yourselves
“ can devise. All this considered, there is
“ a judgment of heaven upon this nation,
“ if these distractions continue.

“ God so deal with me and mine, as all
“ my thoughts and intentions are upright for
“ the maintenance of the true Protestant
“ profession, and for the observance and
“ preservation of the laws ; and I hope God
“ will bless and assist those laws for the
“ preservation of me and my just rights.”

The commons had no sooner received
this answer, than they instantly voted, that
those who advised his majesty to that mea-
sure, were enemies to the state and betrayers
of

of their country ; that this denial is big with such fatal mischiefs, that, if his majesty persist in it, it will endanger the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of parliament ; and that such of the subjects as have provided against the impending danger, have done nothing but what is reasonable, and agreeable to the sense of both houses.

The king, informed of these vigorous proceedings, determined to remove to a greater distance from London : and, accordingly, taking the prince of Wales and the duke of York along with him, he arrived by slow journeys at York, which he was resolved, for some time, to make the place of his residence.

The distant parts of the kingdom, being less actuated by that spirit of discontent and disaffection which now prevailed in the capital, still retained a sincere regard for the church and monarchy ; and the king here met with a more favourable reception than he could have expected.

From all quarters of England, the principal nobility and gentry repaired to York, in order to pay their respects to their sovereign, and to promise him their aid and assistance in his present necessities.

Charles, encouraged by this appearance in his favour, began to talk in a higher strain, and to retort the accusations of the commons, with a spirit which he had never before discovered. Unmoved by all their entreaties, and remonstrances, and menaces, he persisted in his resolution of refusing the militia-ordinance; and they proceeded to establish a new ordinance, in which, by the authority of the two houses, without the king's concurrence, they appointed lieutenants for all the counties, and invested them with the command of the whole military force, of all the guards, garrisons, and forts in the kingdom.

He published a proclamation against this invasion of his prerogative: and as he was firmly resolved, he said, to obey the laws himself, so was he determined to compel every other person to yield them a like obedience.

The name of the king was so indispensable to all laws, and so familiar in all acts of executive power, that the parliament apprehended, had they omitted it entirely, the innovation would have been too sensibly perceived by the people. In all commands, therefore, which they bestowed, the persons were sworn to obey the orders of his majesty,

majesty, signified by both houses of parliament.

A rupture being now deemed unavoidable, each party endeavoured to load its antagonist with the odium of commencing hostilities; but both of them prepared for an event which was so near at hand. To secure the favour and good-will of the people, was the chief point on both sides.

The war of the pen preceded that of the sword, and daily inflamed the animosity of the opposite faction. Besides private politicians without number, the king and parliament themselves maintained the controversy, by messages, remonstrances, and declarations, where the nation was really the party, who was considered as the umpire between them.

But it soon appeared, that these writings, though of some consequence in influencing the minds of the people, would not be finally decisive, and that keener weapons must determine the quarrel. The parliament had no sooner published their ordinance concerning the militia, than the king issued his commissions of array.

The counties complied with the one or the other, according as they were affected. And in many counties, where the inhabitants were divided in their sentiments,

mobbish combats and skirmishes ensued. The parliament, on this occasion, thought proper to vote, "that, when the lords and commons in parliament, which is the supreme court of judicature, shall declare, what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privileges."

The magazine of Hull contained the arms of all the forces which had been raised for the Scottish war; and Sir John Hotham, the governour, though he had accepted of a commission from the parliament, was supposed to be no enemy to the church and monarchy.

Charles, therefore, imagined, that, if he presented himself at Hull before the commencement of hostilities, Hotham, overawed by his presence, would receive him with his attendants; after which he might easily make himself master of the place. But he soon found, that he was mistaken in his calculation. The governour shut the gates, and refused to admit him, tho' he desired leave to enter with twenty persons only. Charles immediately proclaimed him a traitor, and remonstrated to the parliament against his disobedience. The parlia-

parliament approved, and justified his conduct.

The county of York having raised a body of six hundred men, and assigned them as a guard to the king's person ; the parliament voted, " that the king, seduced by wicked councils, designed to make war against them, who, in all their actions and deliberations, had proposed no other end, but the care of his kingdom, and the safety and preservation of his person ; that this attempt, was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government ; and that whoever should assist him in such a war, are traitors by the fundamental laws of the kingdom."

The forces, which had been every where raised, on pretence of the service of Ireland, were henceforth more openly enlisted by the parliament for their own purposes, and the command of them was bestowed on the earl of Essex. In London, no less than four thousand men were raised in one day : and the parliament voted a declaration, which they enjoined every member to subscribe, that they would live and die with their general.

They

They issued orders for bringing in loans of money and plate for the maintenance of the army ; and the people contributed with such amazing alacrity, that, in ten days, no less than eleven millions are said to have been collected ; an incredible sum in those times, and which, though probably exaggerated, plainly shows how much the nation was attached to the parliament.

Meanwhile, the splendour of the nobility, with which the king was surrounded, greatly eclipsed the appearance at Westminster. The lord-keeper Littleton, after dispatching the great seal before him, had escaped to York. The king was attended by above forty peers of the first rank ; while the house of lords seldom consisted of more than sixteen members.

Near one half too of the lower house declined their attendance, and refused to be concerned in councils, which they esteemed so dangerous and destructive. The commons preferred an impeachment against nine peers, for deserting their duty in parliament. Their own members also, who should offer to return, they voted not to receive, till satisfied concerning the reason of their absence.

Charles declared to the peers who attended him, that he expected no obedience to

to any commands, which were not warranted by the laws of the land. The peers, in answer, declared their resolution to obey no commands, but such as were warranted by the same authority.

The queen, disposing of the crown jewels in Holland, had been enabled to purchase a large quantity of arms and ammunition. Part of these, after escaping many dangers, arrived in safety to the king. His preparations were not near so forward as those of the parliament. Perhaps he meant to convince the world, that the war, which followed, was not owing to him; but the real cause of his flowness seems to have been, that he wanted the means of accomplishing his purpose.

In order to bring the matter to a final issue, the parliament sent him the conditions on which they were willing to compromise the difference.

These were, that no man should continue in council, who was not agreeable to parliament; that no act of the king should be deemed valid, unless it passed the council, and was attested under their hands; that all the officers of state should be chosen with consent of parliament; that none of the royal family should marry without consent of parliament or council; that the laws against

against Catholics should be strictly executed ; that Popish lords should be deprived of their votes ; that the liturgy and church-government should be reformed, according to advice of parliament ; that the ordinance with regard to the militia be ratified ; that punishment be inflicted upon great delinquents according to advice of parliament ; that a general indemnity be granted, with such exceptions, as the parliament shall think proper ; that the forts and castles be disposed of by consent of parliament ; and that no peers be created but with consent of both houses of parliament.

" Should I comply with these demands," said the king in answer, " I may be approached bare-headed ; I may have my hand kissed ; the title of majesty continued unto me ; and the king's authority, signified by both houses, may be still the stile of your commands ; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre, though even these would not long flourish, when the stock upon which they grew was dead : but as to true and real power, I shall remain but the outside, but the picture, but the sign of a king."

War on any terms was judged, by the king and his counsellors, preferable to so disgraceful a peace. Charles accordingly rejected the propositions, and resolved to maintain his authority by arms.

" His crown," he said, " was ravished from him, his ships, his armies, his money ; but there still remained to him a good cause, and the hearts of his loyal subjects, which, with God's blessing, he hoped, would soon be able to retrieve all the rest." Assembling, therefore, some forces, he proceeded southward ; and at Nottingham he erected his royal standard, the open signal of discord and civil war throughout the nation.

Never contest seemed more unequal than that which subsisted between the contending parties : almost every advantage lay in favour of the parliament. They had seized, from the very beginning, the king's revenue, from which they issued to him, from time to time, small sums, for his present subsistence ; though even this supply they totally discontinued, immediately after his arrival at York.

London, and all the sea ports, except Newcastle, being in their hands, the customs afforded them a constant fund of money ; and all contributions, loans, and impositions

positions were more easily levied in the cities, which possessed the ready money, and where men lived under their inspection, than they could be raised by the king in those open countries which, after some time, espoused his cause.

The seamen naturally followed the example of the sea ports, to which they belonged. And the earl of Northumberland, lord admiral, having declared in favour of the parliament, had appointed, at their request, the earl of Warwick his lieutenant; who, at once preserved the most exact discipline in the fleet, and secured the dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were at first pre-occupied by the parliament; and their fleet intercepted the greatest part of those, which the queen had sent from Holland. The king was forced to arm his followers by borrowing the weapons of the train-bands, which he engaged to return, as soon as the troubles of the kingdom should be finally appeased.

So inconsiderable, at first, was the king's party, that many imagined he would never attempt resistance, but would submit to the conditions, however severe, proposed by the parliament. Even after his standard was erected

rested, men could not be brought to apprehend the danger of a civil war ; nor was it believed that he could be so imprudent as to incense his implacable enemies, and plunge himself into still greater calamities, by contending with a force, which was so much superior.

The wretched condition, in which he appeared at Nottingham, strengthened all these conjectures. His artillery, though far from numerous, he had been forced to leave behind him for want of horses to bring it up. Besides the militia of the county, raised by John Digby, the sheriff, he had collected above three hundred infantry. His cavalry, which formed his chief strength, consisted only of about eight hundred, and were poorly accoutered.

The army of the parliament lay at Northampton within a few days march of him ; and amounted to above six thousand men, well armed and well appointed. Had these troops advanced upon the king, they must soon have dispersed the small body which he had drawn together.

By pursuing him in his retreat, they would have so disgraced his cause, and intimidated his adherents, that he would never after have been able to assemble an army sufficient to make head against them.

But the earl of Essex, the parliamentary general, had, as yet, received no instructions from his masters. What rendered them so backward, after the hasty measures which they had already embraced, it is difficult to guess.

Perhaps they imagined, that the royalists, conscious of their own weakness, and dreading the power of their enemies, would disperse of themselves, and leave the parliament a victory, the more complete and secure as it would be obtained without bloodshed.

Perhaps too, they were resolved to secure the good opinion of the people by preserving the appearance of lenity, and by showing their aversion to come to extremities.

The king's attendants were fully sensible of the imminent danger to which they were exposed : and they therefore prevailed upon Charles, though not without great difficulty, to agree to a treaty with the parliament. Accordingly, the earl of Southampton, together with Sir John Colpeper and Sir William Uvedale, were dispatched to London with proposals of accommodation. But the demands of the parliament were so high, and he was so little willing to

to make any concessions, that the commissioners returned without being able to effect their purpose.

Two events had lately happened which contributed extremely to encourage the parliamentary forces. Portsmouth was the strongest town in the kingdom, and by its situation of great importance. This place was commanded by Goring ; a man, who seemed to have rendered himself an impia-
cable enemy to the king, by revealing, prob-
ably exaggerating, the secret cabals of the
army ; and the parliament imagined, that he
behoved, of consequence, to be the more
firmly attached to their interest.

But the same inconstancy still attended him, and the same disregard to oaths and engagements. He entered into a private correspondence with the court, and declared openly against the parliament. But though he was possessed of plenty of money, and long before was apprized of his danger ; so great was his imprudence, that he had left the place entirely destitute of provisions, and, in a few days, he was compelled to surrender to the forces of the parliament.

The marquis of Hertford, who acted as the king's general in the Western coun-

ties, had drawn together a small army in Somersetshire, and the parliament was no sooner informed of this circumstance, than they dispatched the earl of Bedford with a superior force to oppose him.

On Bedford's appearance, the marquis was obliged to take refuge in Sherborn-Castle ; and finding that place untenable, he himself passed over into Wales, leaving Sir Ralph Hopton, Sir John Berkley, and other officers, with their horse, amounting to about a hundred and twenty, to march into Cornwall, in hopes of finding a more favourable reception in that county.

All the scattered parties of the parliamentary army were now commanded to assemble at Northampton ; and Essex, on his arrival at that place, found the whole amount to fifteen thousand men.

The king, though he had been gradually receiving supplies from all quarters, was sensible, that he had no army sufficient to oppose so formidable a force ; and he judged it adviseable, by slow marches, to withdraw to Derby, and thence to Shrewsbury, in order to encourage the levies, which his friends were making in those quarters.

At Wellington, a day's march from Shrewsbury, he took a review of all his forces,

forces, and caused his military orders to be read at the head of each regiment. That he might oblige himself by reciprocal ties, he solemnly made the following protestation before his whole army.

" I do promise, in the presence of All-mighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed Protestant religion, established in the church of England, and, by the grace of God, in the same, will live and die.

" I desire, that the laws may ever be the rule of my government, and that the liberty and property of the subject may be as carefully preserved by them as my own just rights. And, if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion; I do solemnly and faithfully promise in the sight of God, to maintain the just privileges and freedom of parliament, and to govern, to the utmost of my power, by the known statutes and customs of the kingdom, and particularly, to observe inviolably the laws to which I have given my assent this parliament.

" Meanwhile, if this emergence, and the
" great necessity to which I am driven, be-
" ger any violation of law, I hope it
" will be imputed by God and man to
" the authors of this war; not to me,
" who have so earnestly laboured to pre-
" vent it.

" And when I willingly fail in these par-
" ticulars, I expect no aid or relief from
" man, nor any protection from above:
" but in this resolution, I hope for the
" cheerful assistance of all good men, and
" am confident of the blessing of God."

While the king's army lay encamped at Shrewsbury, and he himself was engaged in collecting money, which he received, from the neighbouring gentry, by voluntary contributions, and by the plate of the universities, which was presented him; he received the news of an action, the first which had happened in these wars, and where he was successful.

On the appearance of troubles in England, the princes Rupert and Maurice, sons of the unhappy Palatine, had made a tender of their service to the king; and the former, at that time, commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was advancing to that city.

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The prince had no sooner reached the place, then he saw some of the enemies cavalry advancing to the gates. Without delay, he boldly attacked them, as they were defiling from a lane and drawing up in order. Colonel Sandys, who conducted them, and who fought with great bravery, was mortally wounded, and thrown from his horse. The whole party was put to flight and pursued above a mile. The prince, informed of Essex's approach, returned to the king.

This action, though in itself of little consequence, inspired the royalists with the most sanguine hopes, and procured to prince Rupert the character, of promptitude and courage; qualities which he possessed in a very high degree.

The king, on reviewing his army, found it to amount to about ten thousand men. Lord Lindsey, who in his youth had learned the art of war in the Low-countries, was general: prince Rupert commanded the horse: Sir John Astly, the foot: Sir Arthur Aston the dragoons: Sir John Heydon, the artillery. The lord Bernard Stuart was at the head of a troop of guards: their servants, under the conduct of William Killigrew, composed another troop, and always marched with their masters.

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With this army the king set out from Shrewsbury, determined to give battle, as soon as possible, to the army of the parliament, which, he heard, was daily reinforced by fresh recruits from London. In order to provoke them to an action, he directed his march towards the capital, which, he knew, the enemy would not abandon to him.

Two days after the departure of the royalists from Shrewsbury, Essex quitted Worcester. Though it be easy to procure intelligence in civil wars, the two armies had come within six miles of each other, before either of the generals was apprized of the approach of his enemy.

The royal army was encamped near Banbury; that of the parliament, at Keinton, in Warwickshire. Prince Rupert sent intelligence of the approach of the enemy. Though the day was far advanced, the king determined to give battle immediately; and Essex drew up his men to receive him.

Sir Faithful Fortescue, who had raised a troop for the Irish war, had been compelled to engage in the parliamentary army, and was now stationed on the left wing, conducted by Ramsay, a Scotchman. No sooner did

did the king's army advance, than Fortescue, commanding his troops to discharge their pistols in the ground, wheeled off, and put himself under the command of prince Rupert. Partly from this circumstance, partly from the furious attack made upon them by the prince; that whole wing of cavalry was instantly routed, and pursued above two miles.

The right wing of the parliament's army was equally unsuccessful. Driven from their ground by Wilmot and Sir Arthur Aston, they likewise betook themselves to flight. The king's body of reserve, conducted by Sir John Biron thinking, like raw soldiers, that the battle was gained, and eager to have some share in the glory of the day, imprudently followed the chace, which their left wing had left them.

Sir William Balfour, who commanded Essex's reserve, observed the advantage, and immediately seized it: he wheeled about upon the king's infantry, now totally unprovided of horse, and made terrible havock among them. Lindesey, the general, was taken prisoner, after having been mortally wounded. His son, attempting his rescue, was likewise made captive. Sir Edmund Verney,

ney, who bore the king's standard, was slain, and the standard seized, but it was afterwards recovered.

Such was the situation of affairs, when prince Rupert returned from the pursuit. Instead of a victory, which he fondly imagined, they had gained, every thing had rather the appearance of a defeat. Some advised the king to quit the field; but he rejected such pusillanimous counsel. The two armies fronted each other for some time, and neither of them had courage sufficient to renew the charge.

All night they lay on their arms; and next morning were still in sight of each other. The officers, as well as soldiers, seemed averse to a new battle. Essex first drew off and retired to Warwick: the king returned to his former quarters. Five thousand men are said to have fallen in this action, and the loss of the two armies, according to the best accounts, was nearly equal.

Some of Essex's horse, who had been chased off the field in the beginning of the action, flying to a great distance, spread the news of a general defeat, and filled the city and parliament with the most terrible apprehensions.

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In a few days, a more accurate account was brought; and then the parliament laid claim to a compleat victory. The king also on his part, pretended to the same advantage; though, except the reduction of Banbury, a few days after, he had few marks of his victory to show. He continued his march, and took possession of Oxford, the only town in his dominions, which was firmly attached to his interest,

After the royal army was sufficiently refreshed, it was again put in motion. A party of horse advanced to Reading, which Martin commanded for the parliament. Both govenour and garrison, were seized with a sudden pannic, and fled precipitately to London. Charles imagining, that every thing would yield before him, conducted his whole army to Reading; and, in a few days after, advanced to Colebroke.

The parliament, alarmed at the approach of the royal army, while their own forces lay at a distance, voted an address for a treaty. Accordingly, Northumberland and Pembroke, with three commoners, presented the address of both houses; in which they entreated his majesty to chuse some convenient place, where he might reside till com-

committees could attend him with proposals. Charles named Windsor, and required that the garrison should be withdrawn, and his own troops received into the castle.

Meantime Essex, by long and hasty marches, had arrived at London. But neither the presence of his army, nor the uncertain hopes of a treaty, retarded the king's approaches. At Brentford he attacked two regiments which were quartered there, and, after a most desperate action, drove them from that village, and made about five hundred prisoners.

No formal truce, indeed, had been actually concluded; but hostilities had been tacitly understood to cease from the time the commissioners presented the address. Loud complaints were, therefore, raised against this attack, as being an instance of the most apparent perfidy, and a breach of the treaty. Inspired with resentment, as well as concerned for its own safety, the city marched its trained-bands in excellent order, and reinforced the army under Essex.

The parliamentary army now amounted to above twenty-four thousand men, and was

was much more numerous than that of the king. After both armies had faced each other for some time, the king drew off and returned to Reading, and from thence marched back to Oxford.

During the winter season, the king and parliament were employed in real preparations for war, and in seeming advances towards peace. By contributions or assessments, collected by the horse, Charles subsisted his cavalry: by loans and voluntary presents, received from all parts of the kingdom, he maintained his infantry: but the supplies were still very disproportioned to his pressing necessities.

The resources of the parliament were more numerous, and more considerable; and, of consequence, all their military preparations were in much greater order and readiness. Besides a tax levied in London, amounting to the twenty-fifth part of every one's substance, they imposed on that city a weekly assessment of ten thousand pounds, and another of twenty-three thousand five hundred and eighteen, on the rest of the kingdom: and as their authority was very great in most counties, they levied these taxes with the utmost regularity.

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In the beginning of the year,* the king and parliament sent mutually their demands ; and a treaty was begun, but without any suspension of arms, as had at first been proposed. The earl of Northumberland, and four members of the lower house, repaired to Oxford as commissioners from the parliament.

In this treaty, the king perpetually demanded the re-establishment of the crown in its legal powers, and the restoration of himself to his constitutional prerogatives : the parliament still insisted on new concessions, and farther limitations of regal authority, as a more effectual security against future oppressions.

Finding the king supported by more forces, and a greater party, than they had ever apprehended, they seemingly departed from some of those exorbitant conditions which they had formerly required : but their terms were still too high for an equal treaty.

Besides other articles, they peremptorily demanded, that the king should utterly abolish episcopacy ; a demand, which, before,

* A. D. 1643.

fore, they had only insinuated : and they insisted, that all other ecclesiastical controversies should be determined by their assembly of divines ; that is, in the manner most disagreeable to the king and all his adherents. They likewise required him to agree to their settlement of the militia, and to bestow on their friends the whole power of the sword. And, in answer to the king's demand, that his magazines, towns, forts, and ships, should be restored to him, the parliament desired, that they should be committed to the custody of persons in whom they could place an entire confidence.

The difference between the parties, was too great to expect any friendly accommodation : and the parliament, apprized of this circumstance, immediately recalled their commissioners.

A military enterprize, which had been projected early in the spring, was now undertaken. Reading, the garrison of the king which lay nearest London, was deemed a place of considerable strength in that age, when the art of attacking and defending towns, was but yet rude and imperfect. On the fifteenth of April, the earl of Essex

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invested this place, with an army of eighteen thousand men ; and carried on the siege with great spirit and resolution.

Sir Arthur Aston, the governor, being dangerously wounded, colonel Fielding assumed the command. In a little time the town was found to be no longer tenable ; and though the king advanced, with a design of compelling Essex to abandon the siege, the parliamentary army was disposed in such excellent order, as rendered that scheme wholly impracticable.

Fielding was, therefore, obliged to surrender the town, on condition that he should march out with the honours of war, and deliver up deserters. This last condition was deemed so full of ignomy, and so destructive of the king's authority, that the governor was tried by a council of war, and condemned to death for agreeing to it. His sentence, however, was not executed, and he was soon after indulged with a pardon.

Essex's troops had been plentifully supplied with all kinds of necessaries, and even many superfluities and luxuries, from the city of London : yet the fatigue which they suffered from the siege, during so early and severe

severe a season, had so much impaired their strength and spirit, that they were no longer fit for any new enterprize. And the two armies lay, for some time, encamped in the neighbourhood of each other, without undertaking any action of importance.

End of the TWENTY-THIRD VOLUME.

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